

Senate File 2336 - Reprinted

SENATE FILE 2336

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3201)

(As Amended and Passed by the Senate April 12, 2012)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and including other related provisions and appropriations,
3 making penalties applicable, and including effective,
4 retroactive, and applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

DEPARTMENT ON AGING

Section 1. 2011 Iowa Acts, chapter 129, section 113, is amended to read as follows:

SEC. 113. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2012, and ending June 30, 2013, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,151,288
		<u>10,402,577</u>
.....	FTEs	35.00 <u>36.00</u>

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

~~2. The amount appropriated in this section includes additional funding of \$225,000 for delivery of long-term care services to seniors with low or moderate incomes.~~

1 3. Of the funds appropriated in this section, ~~\$89,973~~
2 \$179,946 shall be transferred to the department of economic
3 development for the Iowa commission on volunteer services to be
4 used for the retired and senior volunteer program.

5 4. a. The department on aging shall establish and enforce
6 procedures relating to expenditure of state and federal funds
7 by area agencies on aging that require compliance with both
8 state and federal laws, rules, and regulations, including but
9 not limited to all of the following:

10 (1) Requiring that expenditures are incurred only for goods
11 or services received or performed prior to the end of the
12 fiscal period designated for use of the funds.

13 (2) Prohibiting prepayment for goods or services not
14 received or performed prior to the end of the fiscal period
15 designated for use of the funds.

16 (3) Prohibiting the prepayment for goods or services
17 not defined specifically by good or service, time period, or
18 recipient.

19 (4) Prohibiting the establishment of accounts from which
20 future goods or services which are not defined specifically by
21 good or service, time period, or recipient, may be purchased.

22 b. The procedures shall provide that if any funds are
23 expended in a manner that is not in compliance with the
24 procedures and applicable federal and state laws, rules, and
25 regulations, and are subsequently subject to repayment, the
26 area agency on aging expending such funds in contravention of
27 such procedures, laws, rules and regulations, not the state,
28 shall be liable for such repayment.

29 5. Of the funds appropriated in this section, \$100,000
30 shall be used to provide an additional local long-term care
31 resident's advocate to administer the certified volunteer
32 long-term care resident's advocate program pursuant to section
33 231.45 as enacted in this 2012 Act. It is the intent of the
34 general assembly that the number of local long-term care
35 resident's advocates as provided in section 231.42 be increased

1 each year until 15 local long-term care resident's advocates
2 are available in the state.

3 DIVISION II

4 DEPARTMENT OF PUBLIC HEALTH

5 Sec. 2. 2011 Iowa Acts, chapter 129, section 114, is amended
6 to read as follows:

7 SEC. 114. DEPARTMENT OF PUBLIC HEALTH. There is
8 appropriated from the general fund of the state to the
9 department of public health for the fiscal year beginning July
10 1, 2012, and ending June 30, 2013, the following amounts, or
11 so much thereof as is necessary, to be used for the purposes
12 designated:

13 1. ADDICTIVE DISORDERS

14 For reducing the prevalence of use of tobacco, alcohol, and
15 other drugs, and treating individuals affected by addictive
16 behaviors, including gambling, and for not more than the
17 following full-time equivalent positions:

18	\$ 11,751,595
19	<u>25,653,190</u>
20	FTEs 13.00

21 a. (1) Of the funds appropriated in this subsection,
22 ~~\$1,626,915~~ \$5,403,830 shall be used for the tobacco use
23 prevention and control initiative, including efforts at the
24 state and local levels, as provided in chapter 142A. The
25 commission on tobacco use prevention and control established
26 pursuant to section 142A.3 shall advise the director of
27 public health in prioritizing funding needs and the allocation
28 of moneys appropriated for the programs and activities of
29 the initiative under this subparagraph (1) and shall make
30 recommendations to the director in the development of budget
31 requests relating to the initiative.

32 (2) (a) Of the funds allocated in this paragraph "a",
33 ~~\$226,915~~ \$453,830 shall be transferred to the alcoholic
34 beverages division of the department of commerce for
35 enforcement of tobacco laws, regulations, and ordinances in

1 accordance with 2011 Iowa Acts, ~~House File 467, as enacted~~
2 chapter 63.

3 (b) For the fiscal year beginning July 1, 2012, and ending
4 June 30, 2013, the terms of a chapter 28D agreement, entered
5 into between the division of tobacco use prevention and control
6 of the department of public health and the alcoholic beverages
7 division of the department of commerce, governing compliance
8 checks conducted to ensure licensed retail tobacco outlet
9 conformity with tobacco laws, regulations, and ordinances
10 relating to persons under eighteen years of age, shall restrict
11 the number of such checks to one check per retail outlet, and
12 one additional check for any retail outlet found to be in
13 violation during the first check.

14 b. Of the funds appropriated in this subsection,
15 ~~\$10,124,680~~ \$20,249,360 shall be used for problem gambling and
16 substance abuse prevention, treatment, and recovery services,
17 including a 24-hour helpline, public information resources,
18 professional training, and program evaluation.

19 (1) Of the funds allocated in this paragraph "b", ~~\$8,566,254~~
20 \$17,132,508 shall be used for substance abuse prevention and
21 treatment.

22 (a) Of the funds allocated in this subparagraph (1),
23 ~~\$449,650~~ \$899,300 shall be used for the public purpose of a
24 grant program to provide substance abuse prevention programming
25 for children.

26 (i) Of the funds allocated in this subparagraph division
27 (a), ~~\$213,769~~ \$427,539 shall be used for grant funding for
28 organizations that provide programming for children by
29 utilizing mentors. Programs approved for such grants shall be
30 certified or will be certified within six months of receiving
31 the grant award by the Iowa commission on volunteer services as
32 utilizing the standards for effective practice for mentoring
33 programs.

34 (ii) Of the funds allocated in this subparagraph division
35 (a), ~~\$213,419~~ \$426,839 shall be used for grant funding for

1 organizations that provide programming that includes youth
2 development and leadership. The programs shall also be
3 recognized as being programs that are scientifically based with
4 evidence of their effectiveness in reducing substance abuse in
5 children.

6 (iii) The department of public health shall utilize a
7 request for proposals process to implement the grant program.

8 (iv) All grant recipients shall participate in a program
9 evaluation as a requirement for receiving grant funds.

10 (v) Of the funds allocated in this subparagraph division
11 (a), up to ~~\$22,461~~ \$44,922 may be used to administer substance
12 abuse prevention grants and for program evaluations.

13 (b) Of the funds allocated in this subparagraph (1),
14 ~~\$136,531~~ \$273,062 shall be used for culturally competent
15 substance abuse treatment pilot projects.

16 (i) The department shall utilize the amount allocated
17 in this subparagraph division (b) for at least three pilot
18 projects to provide culturally competent substance abuse
19 treatment in various areas of the state. Each pilot project
20 shall target a particular ethnic minority population. The
21 populations targeted shall include but are not limited to
22 African American, Asian, and Latino.

23 (ii) The pilot project requirements shall provide for
24 documentation or other means to ensure access to the cultural
25 competence approach used by a pilot project so that such
26 approach can be replicated and improved upon in successor
27 programs.

28 (2) Of the funds allocated in this paragraph "b", up
29 to ~~\$1,558,426~~ \$3,116,852 may be used for problem gambling
30 prevention, treatment, and recovery services.

31 (a) Of the funds allocated in this subparagraph (2),
32 ~~\$1,289,500~~ \$2,579,000 shall be used for problem gambling
33 prevention and treatment.

34 (b) Of the funds allocated in this subparagraph (2), up to
35 ~~\$218,926~~ \$437,852 may be used for a 24-hour helpline, public

1 information resources, professional training, and program
2 evaluation.

3 (c) Of the funds allocated in this subparagraph (2), up
4 to ~~\$50,000~~ \$100,000 may be used for the licensing of problem
5 gambling treatment programs.

6 (3) It is the intent of the general assembly that from the
7 moneys allocated in this paragraph "b", persons with a dual
8 diagnosis of substance abuse and gambling addictions shall be
9 given priority in treatment services.

10 c. Notwithstanding any provision of law to the contrary,
11 to standardize the availability, delivery, cost of delivery,
12 and accountability of problem gambling and substance abuse
13 treatment services statewide, the department shall continue
14 implementation of a process to create a system for delivery
15 of treatment services in accordance with the requirements
16 specified in 2008 Iowa Acts, chapter 1187, section 3,
17 subsection 4. To ensure the system provides a continuum of
18 treatment services that best meets the needs of Iowans, the
19 problem gambling and substance abuse treatment services in any
20 area may be provided either by a single agency or by separate
21 agencies submitting a joint proposal.

22 (1) The system for delivery of substance abuse and problem
23 gambling treatment shall include problem gambling prevention.

24 (2) The system for delivery of substance abuse and problem
25 gambling treatment shall include substance abuse prevention by
26 July 1, 2014.

27 (3) Of the funds allocated in paragraph "b", the department
28 may use up to ~~\$50,000~~ \$100,000 for administrative costs to
29 continue developing and implementing the process in accordance
30 with this paragraph "c".

31 d. The requirement of section 123.53, subsection 5, is met
32 by the appropriations and allocations made in this Act for
33 purposes of substance abuse treatment and addictive disorders
34 for the fiscal year beginning July 1, 2012.

35 e. The department of public health shall work with all other

1 departments that fund substance abuse prevention and treatment
 2 services and all such departments shall, to the extent
 3 necessary, collectively meet the state maintenance of effort
 4 requirements for expenditures for substance abuse services
 5 as required under the federal substance abuse prevention and
 6 treatment block grant.

7 f. The department shall amend or otherwise revise
 8 departmental policies and contract provisions in order to
 9 eliminate free t-shirt distribution, banner production, and
 10 other unnecessary promotional expenditures.

11 2. HEALTHY CHILDREN AND FAMILIES

12 For promoting the optimum health status for children,
 13 adolescents from birth through 21 years of age, and families,
 14 and for not more than the following full-time equivalent
 15 positions:

16	\$	1,297,135
17		<u>2,694,270</u>
18	FTEs	10.00

19 a. Of the funds appropriated in this subsection, not
 20 more than ~~\$369,659~~ \$739,318 shall be used for the healthy
 21 opportunities to experience success (HOPES)-healthy families
 22 Iowa (HFI) program established pursuant to section 135.106.
 23 The funding shall be distributed to renew the grants that were
 24 provided to the grantees that operated the program during the
 25 fiscal year ending June 30, 2012.

26 0b. (1) In order to implement the legislative intent
 27 stated in sections 135.106 and 256I.9, that priority for
 28 home visitation program funding be given to programs using
 29 evidence-based or promising models for home visitation, it is
 30 the intent of the general assembly to phase-in the funding
 31 priority as follows:

32 (a) By July 1, 2013, 25 percent of state funds expended
 33 for home visiting programs are for evidence-based or promising
 34 program models.

35 (b) By July 1, 2014, 50 percent of state funds expended

1 for home visiting programs are for evidence-based or promising
2 program models.

3 (c) By July 1, 2015, 75 percent of state funds expended
4 for home visiting programs are for evidence-based or promising
5 program models.

6 (d) By July 1, 2016, 90 percent of state funds expended
7 for home visiting programs are for evidence-based or promising
8 program models. The remaining 10 percent of funds may be
9 used for innovative program models that do not yet meet the
10 definition of evidence-based or promising programs.

11 (2) For the purposes of this lettered paragraph, unless the
12 context otherwise requires:

13 (a) "Evidence-based program" means a program that is based
14 on scientific evidence demonstrating that the program model
15 is effective. An evidence-based program shall be reviewed
16 onsite and compared to program model standards by the model
17 developer or the developer's designee at least every five years
18 to ensure that the program continues to maintain fidelity
19 with the program model. The program model shall have had
20 demonstrated significant and sustained positive outcomes in an
21 evaluation utilizing a well-designed and rigorous randomized
22 controlled research design or a quasi-experimental research
23 design, and the evaluation results shall have been published in
24 a peer-reviewed journal.

25 (b) "Family support programs" includes group-based parent
26 education or home visiting programs that are designed to
27 strengthen protective factors, including parenting skills,
28 increasing parental knowledge of child development, and
29 increasing family functioning and problem solving skills. A
30 family support program may be used as an early intervention
31 strategy to improve birth outcomes, parental knowledge, family
32 economic success, the home learning environment, family and
33 child involvement with others, and coordination with other
34 community resources. A family support program may have a
35 specific focus on preventing child maltreatment or ensuring

1 children are safe, healthy, and ready to succeed in school.

2 (c) "Promising program" means a program that meets all of
3 the following requirements:

4 (i) The program conforms to a clear, consistent family
5 support model that has been in existence for at least three
6 years.

7 (ii) The program is grounded in relevant empirically-based
8 knowledge.

9 (iii) The program is linked to program-determined outcomes.

10 (iv) The program is associated with a national or state
11 organization that either has comprehensive program standards
12 that ensure high-quality service delivery and continuous
13 program quality improvement or the program model has
14 demonstrated through the program's benchmark outcomes that the
15 program has achieved significant positive outcomes equivalent
16 to those achieved by program models with published significant
17 and sustained results in a peer-reviewed journal.

18 (v) The program has been awarded the Iowa family support
19 credential and has been reviewed onsite at least every five
20 years to ensure the program's adherence to the Iowa family
21 support standards approved by the early childhood Iowa
22 state board created in section 256I.3 or a comparable set of
23 standards. The onsite review is completed by an independent
24 review team that is not associated with the program or the
25 organization administering the program.

26 (3) (a) The data reporting requirements applicable to
27 the HOPES-HFI program services shall include the requirements
28 adopted by the early childhood Iowa state board pursuant
29 to section 256I.4 for the family support programs targeted
30 to families expecting a child or with newborn and infant
31 children through age five and funded through the state board.
32 The department of public health may specify additional data
33 reporting requirements for the HOPES-HFI program services. The
34 HOPES-HFI program services shall be required to participate in
35 a state administered internet-based data collection system by

1 July 1, 2013. The annual reporting concerning the HOPES-HFI
2 program services shall include program outcomes beginning with
3 the 2015 report.

4 (b) The data on families served that is collected by the
5 HOPES-HFI program shall include but is not limited to basic
6 demographic information, services received, funding utilized,
7 and program outcomes for the children and families served.

8 (c) The HOPES-HFI program shall work with the early
9 childhood Iowa state board in the state board's efforts
10 to identify minimum competency standards for the employees
11 and supervisors of family support programs funded. The
12 HOPES-HFI program, along with the state board, shall submit
13 recommendations concerning the standards to the governor and
14 general assembly on or before January 1, 2014.

15 (d) On or before January 1, 2013, the HOPES-HFI program
16 shall adopt criminal and child abuse record check requirements
17 for the employees and supervisors of family support programs
18 funded through the program.

19 (e) The HOPES-HFI program shall work with the early
20 childhood Iowa state board in the state board's efforts to
21 develop a plan to implement a coordinated intake and referral
22 process for publicly funded family support programs in order
23 to engage the families expecting a child or with newborn and
24 infant children through age five in all communities in the
25 state by July 1, 2015.

26 b. Of the funds appropriated in this subsection, \$164,942
27 \$329,885 shall be used to continue to address the healthy
28 mental development of children from birth through five years
29 of age through local evidence-based strategies that engage
30 both the public and private sectors in promoting healthy
31 development, prevention, and treatment for children. The
32 department shall work with the department of human services,
33 Iowa Medicaid enterprise, to develop a plan to secure matching
34 medical assistance program funding to provide services under
35 this paragraph, which may include a per member per month

1 payment to reimburse the care coordination and community
 2 outreach services component that links young children and their
 3 families with identified service needs.

4 c. Of the funds appropriated in this subsection, ~~\$15,798~~
 5 \$31,597 shall be distributed to a statewide dental carrier to
 6 provide funds to continue the donated dental services program
 7 patterned after the projects developed by the lifeline network
 8 to provide dental services to indigent elderly and disabled
 9 individuals.

10 d. Of the funds appropriated in this subsection, ~~\$56,338~~
 11 \$112,677 shall be used for childhood obesity prevention.

12 e. Of the funds appropriated in this subsection, ~~\$81,880~~
 13 \$163,760 shall be used to provide audiological services and
 14 hearing aids for children. The department may enter into a
 15 contract to administer this paragraph.

16 f. Of the funds appropriated in this subsection, \$100,000
 17 shall be transferred to the university of Iowa college of
 18 dentistry for provision of primary dental services to children.
 19 State funds shall be matched on a dollar-for-dollar basis.
 20 The university of Iowa college of dentistry shall coordinate
 21 efforts with the department of public health, bureau of oral
 22 health, to provide dental care to underserved populations
 23 throughout the state.

24 3. CHRONIC CONDITIONS

25 For serving individuals identified as having chronic
 26 conditions or special health care needs, and for not more than
 27 the following full-time equivalent positions:

28	\$	1,680,828
29		<u>3,919,028</u>
30	FTEs	4.00
31		<u>5.00</u>

32 a. Of the funds appropriated in this subsection, ~~\$80,291~~
 33 \$160,582 shall be used for grants to individual patients
 34 who have phenylketonuria (PKU) to assist with the costs of
 35 necessary special foods.

1 b. Of the funds appropriated in this subsection, ~~\$241,800~~
2 \$483,600 is allocated for continuation of the contracts for
3 resource facilitator services in accordance with section
4 135.22B, subsection 9, and for brain injury training services
5 and recruiting of service providers to increase the capacity
6 within this state to address the needs of individuals with
7 brain injuries and such individuals' families.

8 c. Of the funds appropriated in this subsection, ~~\$249,437~~
9 \$550,000 shall be used as additional funding to leverage
10 federal funding through the federal Ryan White Care Act, Tit.
11 II, AIDS drug assistance program supplemental drug treatment
12 grants.

13 d. Of the funds appropriated in this subsection, ~~\$15,627~~
14 \$50,000 shall be used for the public purpose of providing
15 a grant to an existing national-affiliated organization to
16 provide education, client-centered programs, and client and
17 family support for people living with epilepsy and their
18 families.

19 e. Of the funds appropriated in this subsection, ~~\$394,151~~
20 \$788,303 shall be used for child health specialty clinics.

21 f. Of the funds appropriated in this subsection, ~~\$248,533~~
22 \$497,065 shall be used for the comprehensive cancer control
23 program to reduce the burden of cancer in Iowa through
24 prevention, early detection, effective treatment, and ensuring
25 quality of life. Of the funds allocated in this lettered
26 paragraph, ~~\$75,000~~ \$150,000 shall be used to support a melanoma
27 research symposium, a melanoma biorepository and registry,
28 basic and translational melanoma research, and clinical trials.

29 g. Of the funds appropriated in this subsection, ~~\$63,225~~
30 \$126,450 shall be used for cervical and colon cancer screening.

31 h. Of the funds appropriated in this subsection, ~~\$264,417~~
32 \$528,834 shall be used for the center for congenital and
33 inherited disorders. A portion of the funds allocated in this
34 lettered paragraph may be used for one full-time equivalent
35 position for administration of the center.

1 i. Of the funds appropriated in this subsection, ~~\$64,968~~
 2 \$129,937 shall be used for the prescription drug donation
 3 repository program created in chapter 135M.

4 j. For provision of early prevention screening by pap smear
 5 and advanced screening by colposcope for women with incomes
 6 below 250 percent of the federal poverty level, as defined by
 7 the most recently revised poverty income guidelines issued by
 8 the United States department of health and human services,
 9 who are not covered by a third-party payer health policy or
 10 contract that pays for such procedures and related laboratory
 11 services:

12 \$ 500,000

13 The department shall distribute the amount appropriated in
 14 this lettered paragraph to providers on behalf of eligible
 15 persons within the target population.

16 4. COMMUNITY CAPACITY

17 For strengthening the health care delivery system at the
 18 local level, and for not more than the following full-time
 19 equivalent positions:

20 \$ 2,117,583

21 5,485,547

22 FTEs 14.00

23 a. Of the funds appropriated in this subsection, ~~\$50,000~~
 24 \$100,000 is allocated for a child vision screening program
 25 implemented through the university of Iowa hospitals and
 26 clinics in collaboration with early childhood Iowa areas.

27 b. Of the funds appropriated in this subsection, ~~\$55,654~~
 28 \$111,308 is allocated for continuation of an initiative
 29 implemented at the university of Iowa and ~~\$50,246~~ \$100,493
 30 is allocated for continuation of an initiative at the state
 31 mental health institute at Cherokee to expand and improve the
 32 workforce engaged in mental health treatment and services.
 33 The initiatives shall receive input from the university of
 34 Iowa, the department of human services, the department of
 35 public health, and the mental health and disability services

1 commission to address the focus of the initiatives.

2 c. Of the funds appropriated in this subsection, ~~\$585,745~~
 3 \$1,171,491 shall be used for essential public health services
 4 that promote healthy aging throughout the lifespan, contracted
 5 through a formula for local boards of health, to enhance health
 6 promotion and disease prevention services.

7 d. Of the funds appropriated in this section, ~~\$60,908~~
 8 \$121,817 shall be deposited in the governmental public health
 9 system fund created in section 135A.8 to be used for the
 10 purposes of the fund.

11 e. Of the funds appropriated in this subsection, ~~\$72,271~~
 12 \$144,542 shall be used for the mental health professional
 13 shortage area program implemented pursuant to section 135.80.

14 f. Of the funds appropriated in this subsection, ~~\$19,131~~
 15 \$38,263 shall be used for a grant to a statewide association
 16 of psychologists that is affiliated with the American
 17 psychological association to be used for continuation of a
 18 program to rotate intern psychologists in placements in urban
 19 and rural mental health professional shortage areas, as defined
 20 in section ~~135.80~~ 135.180.

21 g. Of the funds appropriated in this subsection, the
 22 following amounts shall be allocated to the Iowa collaborative
 23 safety net provider network established pursuant to section
 24 135.153 to be used for the purposes designated. The following
 25 amounts allocated under this lettered paragraph shall be
 26 distributed to the specified provider and shall not be reduced
 27 for administrative or other costs prior to distribution:

28 (1) For distribution to the Iowa primary care association
 29 for statewide coordination of the Iowa collaborative safety net
 30 provider network:

31	\$	66,290
32		<u>150,000</u>

33 (1A) For distribution to the Iowa primary care association
 34 to be used for the following women's health initiatives:

35 (a) To establish a grant program for training sexual assault

1 response team (SART) members, including representatives of
2 law enforcement, victim advocates, prosecutors, and certified
3 medical personnel:
4 \$ 50,000

5 (b) To promote access to primary and preventive health care
6 and for provision of assistance to patients in determining an
7 appropriate medical home:
8 \$ 75,000

9 (1B) For distribution to federally qualified health centers
10 for necessary infrastructure, statewide coordination, provider
11 recruitment, service delivery, and provision of assistance to
12 patients in determining an appropriate medical home:
13 \$ 125,000

14 (2) For distribution to the local boards of health that
15 provide direct services for pilot programs in three counties to
16 assist patients in determining an appropriate medical home:
17 \$ 38,804
18 77,609

19 (3) For distribution to maternal and child health centers
20 for pilot programs in three counties to assist patients in
21 determining an appropriate medical home:
22 \$ 38,804
23 100,000

24 (4) For distribution to free clinics for necessary
25 infrastructure, statewide coordination, provider recruitment,
26 service delivery, and provision of assistance to patients in
27 determining an appropriate medical home:
28 \$ 62,025
29 424,050

30 (5) For distribution to rural health clinics for necessary
31 infrastructure, statewide coordination, provider recruitment,
32 service delivery, and provision of assistance to patients in
33 determining an appropriate medical home:
34 \$ 55,215
35 150,000

1 (6) For continuation of the safety net provider patient
 2 access to specialty health care initiative as described in 2007
 3 Iowa Acts, chapter 218, section 109:
 4 \$ ~~130,000~~
 5 400,000

6 (7) For continuation of the pharmaceutical infrastructure
 7 for safety net providers as described in 2007 Iowa Acts,
 8 chapter 218, section 108:
 9 \$ ~~135,000~~
 10 435,000

11 The Iowa collaborative safety net provider network may
 12 continue to distribute funds allocated pursuant to this
 13 lettered paragraph through existing contracts or renewal of
 14 existing contracts.

15 ~~h. (1) Of the funds appropriated in this subsection,~~
 16 ~~\$74,500 shall be used for continued implementation of~~
 17 ~~the recommendations of the direct care worker task force~~
 18 ~~established pursuant to 2005 Iowa Acts, chapter 88, based upon~~
 19 ~~the report submitted to the governor and the general assembly~~
 20 ~~in December 2006. The department may use a portion of the~~
 21 ~~funds allocated in this lettered paragraph for an additional~~
 22 ~~position to assist in the continued implementation.~~

23 i. (1) Of the funds appropriated in this subsection,
 24 ~~\$65,050~~ \$145,100 shall be used for allocation to an independent
 25 statewide direct care worker association that serves the
 26 entirety of the direct care workforce under a contract with
 27 terms determined by the director of public health relating
 28 to education, outreach, leadership development, mentoring,
 29 and other initiatives intended to enhance the recruitment and
 30 retention of direct care workers in health care and long-term
 31 care settings.

32 (2) Of the funds appropriated in this subsection, ~~\$29,000~~
 33 \$58,000 shall be used to provide scholarships or other forms of
 34 subsidization for direct care worker educational conferences,
 35 training, or outreach activities.

1 j. Of the funds appropriated in this subsection, the
2 department may use up to ~~\$29,259~~ \$58,518 for up to one
3 full-time equivalent position to administer the volunteer
4 health care provider program pursuant to section 135.24.

5 k. Of the funds appropriated in this subsection, ~~\$25,000~~
6 \$50,000 shall be used for a matching dental education loan
7 repayment program to be allocated to a dental nonprofit health
8 service corporation to develop the criteria and implement the
9 loan repayment program.

10 l. Of the funds appropriated in this subsection, \$250,000
11 shall be used as state matching funds for the primary care
12 provider recruitment and retention endeavor established
13 pursuant to section 135.107. Notwithstanding any provision
14 to the contrary including whether a community is located in a
15 federally designated health professional shortage area, the
16 funds shall be used for loans to medical students who upon
17 receiving a permanent license in this state will engage in
18 the full-time practice of medicine and surgery or osteopathic
19 medicine and surgery specializing in family medicine,
20 pediatrics, psychiatry, internal medicine, or general surgery
21 in a city within the state with a population of less than
22 26,000 that is located more than 20 miles from a city with a
23 population of 50,000 or more. The department may adopt rules
24 pursuant to chapter 17A to implement this paragraph "l".

25 m. Of the funds appropriated in this subsection, \$100,000
26 shall be used for the purposes of the Iowa donor registry as
27 specified in section 142C.18.

28 n. Of the funds appropriated in this subsection, \$100,000
29 shall be used for continuation of a grant to a nationally
30 affiliated volunteer eye organization that has an established
31 program for children and adults and that is solely dedicated to
32 preserving sight and preventing blindness through education,
33 nationally certified vision screening and training, and
34 community and patient service programs.

35 5. HEALTHY AGING

1 To provide public health services that reduce risks and
 2 invest in promoting and protecting good health over the
 3 course of a lifetime with a priority given to older Iowans and
 4 vulnerable populations:

5 \$ ~~3,648,571~~
 6 7,297,142

7 a. Of the funds appropriated in this subsection, ~~\$1,004,593~~
 8 \$2,009,187 shall be used for local public health nursing
 9 services.

10 b. Of the funds appropriated in this subsection, ~~\$2,643,977~~
 11 \$5,287,955 shall be used for home care aide services.

12 6. ENVIRONMENTAL HAZARDS

13 For reducing the public's exposure to hazards in the
 14 environment, primarily chemical hazards, and for not more than
 15 the following full-time equivalent positions:

16 \$ ~~406,888~~
 17 813,777
 18 FTEs 4.00

19 Of the funds appropriated in this subsection, ~~\$272,188~~
 20 \$544,377 shall be used for childhood lead poisoning provisions.

21 7. INFECTIOUS DISEASES

22 a. For reducing the incidence and prevalence of
 23 communicable diseases, and for not more than the following
 24 full-time equivalent positions:

25 \$ ~~672,923~~
 26 2,395,847
 27 FTEs 4.00

28 b. For the human papillomavirus vaccination public
 29 awareness program in accordance with section 135.11, subsection
 30 31, as enacted by this Act:

31 \$ 50,000

32 The department of public health may seek private sector
 33 moneys for the purpose of supporting the public awareness
 34 program.

35 c. For provision of vaccinations for human papillomavirus

1 to persons age 19 through 26 with incomes below 300 percent
 2 of the federal poverty level, as defined by the most recently
 3 revised poverty income guidelines issued by the United States
 4 department of health and human services, who are not covered
 5 by a third-party payer health policy or contract that pays for
 6 such vaccinations:

7 \$ 1,000,000

8 The department shall distribute the amount appropriated in
 9 this lettered paragraph to providers on behalf of eligible
 10 persons within the target population.

11 8. PUBLIC PROTECTION

12 For protecting the health and safety of the public through
 13 establishing standards and enforcing regulations, and for not
 14 more than the following full-time equivalent positions:

15 \$ ~~1,388,116~~

16 3,216,567

17 FTEs 125.00

18 a. Of the funds appropriated in this subsection, not more
 19 than ~~\$235,845~~ \$471,690 shall be credited to the emergency
 20 medical services fund created in section 135.25. Moneys in
 21 the emergency medical services fund are appropriated to the
 22 department to be used for the purposes of the fund.

23 b. Of the funds appropriated in this subsection, ~~\$105,309~~
 24 \$210,619 shall be used for sexual violence prevention
 25 programming through a statewide organization representing
 26 programs serving victims of sexual violence through the
 27 department's sexual violence prevention program. The amount
 28 allocated in this lettered paragraph shall not be used to
 29 supplant funding administered for other sexual violence
 30 prevention or victims assistance programs.

31 c. Of the funds appropriated in this subsection, not more
 32 than ~~\$218,291~~ \$539,477 shall be used for the state poison
 33 control center.

34 d. Of the funds appropriated in this subsection, \$337,440
 35 shall be used for the purposes of the board of direct care

1 professionals as established pursuant to the division of this
 2 2012 Act enacting new Code chapter 152F. The direct care
 3 worker advisory council established pursuant to 2008 Iowa Acts,
 4 chapter 1188, section 69, may continue to provide expertise
 5 and leadership relating to the recommendations in the advisory
 6 council's final report submitted to the governor and the
 7 general assembly in March 2012.

8 9. RESOURCE MANAGEMENT

9 For establishing and sustaining the overall ability of the
 10 department to deliver services to the public, and for not more
 11 than the following full-time equivalent positions:

12	\$	409,777
13		<u>819,554</u>
14	FTEs	7.00

15 The university of Iowa hospitals and clinics under the
 16 control of the state board of regents shall not receive
 17 indirect costs from the funds appropriated in this section.
 18 The university of Iowa hospitals and clinics billings to the
 19 department shall be on at least a quarterly basis.

20 DIVISION III

21 DEPARTMENT OF VETERANS AFFAIRS

22 Sec. 3. 2011 Iowa Acts, chapter 129, section 115, is amended
 23 to read as follows:

24 SEC. 115. DEPARTMENT OF VETERANS AFFAIRS. There is
 25 appropriated from the general fund of the state to the
 26 department of veterans affairs for the fiscal year beginning
 27 July 1, 2012, and ending June 30, 2013, the following amounts,
 28 or so much thereof as is necessary, to be used for the purposes
 29 designated:

30 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

31 For salaries, support, maintenance, and miscellaneous
 32 purposes, including the war orphans educational assistance fund
 33 created in section 35.8, and for not more than the following
 34 full-time equivalent positions:

35	\$	499,416
----------	----	--------------------

1 1,010,832

2 FTEs 16.34

3 2. IOWA VETERANS HOME

4 For salaries, support, maintenance, and miscellaneous

5 purposes:

6 \$ ~~4,476,075~~

7 8,952,151

8 a. The Iowa veterans home billings involving the department

9 of human services shall be submitted to the department on at

10 least a monthly basis.

11 b. If there is a change in the employer of employees

12 providing services at the Iowa veterans home under a collective

13 bargaining agreement, such employees and the agreement shall

14 be continued by the successor employer as though there had not

15 been a change in employer.

16 c. Within available resources and in conformance with

17 associated state and federal program eligibility requirements,

18 the Iowa veterans home may implement measures to provide

19 financial assistance to or on behalf of veterans or their

20 spouses who are participating in the community reentry program.

21 d. The Iowa veterans home expenditure report shall be

22 submitted monthly to the legislative services agency.

23 3. STATE EDUCATIONAL ASSISTANCE — CHILDREN OF DECEASED

24 VETERANS

25 For provision of educational assistance pursuant to section

26 35.9:

27 \$ ~~6,208~~

28 12,416

29 4. HOME OWNERSHIP ASSISTANCE PROGRAM

30 For transfer to the Iowa finance authority for the

31 continuation of the home ownership assistance program for

32 persons who are or were eligible members of the armed forces of

33 the United States, pursuant to section 16.54:

34 \$ 1,600,000

35 Sec. 4. 2011 Iowa Acts, chapter 129, section 116, is amended

1 to read as follows:

2 SEC. 116. LIMITATION OF COUNTY COMMISSION OF VETERANS
3 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
4 standing appropriation in the following designated section for
5 the fiscal year beginning July 1, 2012, and ending June 30,
6 2013, the amounts appropriated from the general fund of the
7 state pursuant to that section for the following designated
8 purposes shall not exceed the following amount:

9 For the county commissions of veterans affairs fund under
10 section 35A.16:

11	\$	495,000
12		<u>990,000</u>

13 DIVISION IV

14 DEPARTMENT OF HUMAN SERVICES

15 Sec. 5. 2011 Iowa Acts, chapter 129, section 117, is amended
16 to read as follows:

17 SEC. 117. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
18 GRANT. There is appropriated from the fund created in section
19 8.41 to the department of human services for the fiscal year
20 beginning July 1, 2012, and ending June 30, 2013, from moneys
21 received under the federal temporary assistance for needy
22 families (TANF) block grant pursuant to the federal Personal
23 Responsibility and Work Opportunity Reconciliation Act of 1996,
24 Pub. L. No. 104-193, and successor legislation, and from moneys
25 received under the emergency contingency fund for temporary
26 assistance for needy families state program established
27 pursuant to the federal American Recovery and Reinvestment Act
28 of 2009, Pub. L. No. 111-5 § 2101, and successor legislation,
29 the following amounts, or so much thereof as is necessary, to
30 be used for the purposes designated:

31 1. To be credited to the family investment program account
32 and used for assistance under the family investment program
33 under chapter 239B:

34	\$	10,750,369
35		<u>19,790,365</u>

1 2. To be credited to the family investment program account
 2 and used for the job opportunities and basic skills (JOBS)
 3 program and implementing family investment agreements in
 4 accordance with chapter 239B:

5 \$ ~~6,205,764~~
 6 12,411,528

7 3. To be used for the family development and
 8 self-sufficiency grant program in accordance with section
 9 216A.107:

10 \$ ~~1,449,490~~
 11 2,898,980

12 Notwithstanding section 8.33, moneys appropriated in this
 13 subsection that remain unencumbered or unobligated at the close
 14 of the fiscal year shall not revert but shall remain available
 15 for expenditure for the purposes designated until the close of
 16 the succeeding fiscal year. However, unless such moneys are
 17 encumbered or obligated on or before September 30, 2013, the
 18 moneys shall revert.

19 4. For field operations:

20 \$ ~~15,648,116~~
 21 31,296,232

22 5. For general administration:

23 \$ ~~1,872,000~~
 24 3,744,000

25 6. For state child care assistance:

26 \$ ~~8,191,343~~
 27 16,382,687

28 The funds appropriated in this subsection shall be
 29 transferred to the child care and development block grant
 30 appropriation made pursuant to 2011 Iowa Acts, chapter
 31 126, section 32, by the Eighty-fourth General Assembly,
 32 2012 Session, for the federal fiscal year beginning October
 33 1, 2012, and ending September 30, 2013. Of this amount,
 34 ~~\$100,000~~ \$200,000 shall be used for provision of educational
 35 opportunities to registered child care home providers in order

1 to improve services and programs offered by this category
 2 of providers and to increase the number of providers. The
 3 department may contract with institutions of higher education
 4 or child care resource and referral centers to provide
 5 the educational opportunities. Allowable administrative
 6 costs under the contracts shall not exceed 5 percent. The
 7 application for a grant shall not exceed two pages in length.

8 7. For distribution to counties for state case services
 9 for persons with mental health and illness, an intellectual
 10 disability, or a developmental disabilities community services
 11 disability in accordance with section 331.440:

12 \$ ~~2,447,026~~
 13 4,894,052

14 8. For child and family services:

15 \$ ~~16,042,215~~
 16 32,084,430

17 9. For child abuse prevention grants:

18 \$ ~~62,500~~
 19 125,000

20 10. For pregnancy prevention grants on the condition that
 21 family planning services are funded:

22 \$ ~~965,033~~
 23 1,930,067

24 Pregnancy prevention grants shall be awarded to programs
 25 in existence on or before July 1, 2012, if the programs have
 26 demonstrated positive outcomes. Grants shall be awarded to
 27 pregnancy prevention programs which are developed after July
 28 1, 2012, if the programs are based on existing models that
 29 have demonstrated positive outcomes. Grants shall comply with
 30 the requirements provided in 1997 Iowa Acts, chapter 208,
 31 section 14, subsections 1 and 2, including the requirement that
 32 grant programs must emphasize sexual abstinence. Priority in
 33 the awarding of grants shall be given to programs that serve
 34 areas of the state which demonstrate the highest percentage of
 35 unplanned pregnancies of females of childbearing age within the

1 geographic area to be served by the grant.

2 11. For technology needs and other resources necessary
3 to meet federal welfare reform reporting, tracking, and case
4 management requirements:

5 \$ 518,593
6 1,037,186

7 12. To be credited to the state child care assistance
8 appropriation made in this section to be used for funding of
9 community-based early childhood programs targeted to children
10 from birth through five years of age developed by early
11 childhood Iowa areas as provided in section 256I.11:

12 \$ 3,175,000
13 6,350,000

14 The department shall transfer TANF block grant funding
15 appropriated and allocated in this subsection to the child care
16 and development block grant appropriation in accordance with
17 federal law as necessary to comply with the provisions of this
18 subsection.

19 13. a. Notwithstanding any provision to the contrary,
20 including but not limited to requirements in section 8.41 or
21 provisions in 2011 or 2012 Iowa Acts regarding the receipt
22 and appropriation of federal block grants, federal funds
23 from the ~~emergency contingency fund for temporary assistance~~
24 ~~for needy families state program established pursuant to the~~
25 ~~federal American Recovery and Reinvestment Act of 2009, Pub.~~
26 ~~L. No. 111-5 § 2101, block grant received by the state during~~
27 ~~the fiscal year beginning July 1, 2011, and ending June 30,~~
28 ~~2012,~~ not otherwise appropriated in this section and remaining
29 available ~~as of~~ for the fiscal year beginning July 1, 2012, and
30 ~~received by the state during the fiscal year beginning July~~
31 ~~1, 2012, and ending June 30, 2013,~~ are appropriated to the
32 department of human services to the extent as may be necessary
33 to be used in the following priority order: the family
34 investment program for the fiscal year and for state child care
35 assistance program payments for individuals enrolled in the

1 family investment program who are employed. The federal funds
 2 appropriated in this paragraph "a" shall be expended only after
 3 all other funds appropriated in subsection 1 for the assistance
 4 under the family investment program under chapter 239B have
 5 been expended.

6 b. The department shall, on a quarterly basis, advise the
 7 legislative services agency and department of management of
 8 the amount of funds appropriated in this subsection that was
 9 expended in the prior quarter.

10 14. Of the amounts appropriated in this section, ~~\$6,481,004~~
 11 \$12,962,008 for the fiscal year beginning July 1, 2012, shall
 12 be transferred to the appropriation of the federal social
 13 services block grant made for that fiscal year.

14 15. For continuation of the program allowing the department
 15 to maintain categorical eligibility for the food assistance
 16 program as required under the section of this division relating
 17 to the family investment account:

18	\$	73,036
19		<u>25,000</u>

20 16. The department may transfer funds allocated in this
 21 section to the appropriations made in this division of this Act
 22 for general administration and field operations for resources
 23 necessary to implement and operate the services referred to in
 24 this section and those funded in the appropriation made in this
 25 division of this Act for the family investment program from the
 26 general fund of the state.

27 Sec. 6. 2011 Iowa Acts, chapter 129, section 118, is amended
 28 to read as follows:

29 SEC. 118. FAMILY INVESTMENT PROGRAM ACCOUNT.

30 1. Moneys credited to the family investment program (FIP)
 31 account for the fiscal year beginning July 1, 2012, and
 32 ending June 30, 2013, shall be used to provide assistance in
 33 accordance with chapter 239B.

34 2. The department may use a portion of the moneys credited
 35 to the FIP account under this section as necessary for

1 salaries, support, maintenance, and miscellaneous purposes.

2 3. The department may transfer funds allocated in this
3 section to the appropriations in this division of this Act
4 for general administration and field operations for resources
5 necessary to implement and operate the services referred to in
6 this section and those funded in the appropriation made in this
7 division of this Act for the family investment program from the
8 general fund of the state.

9 4. Moneys appropriated in this division of this Act and
10 credited to the FIP account for the fiscal year beginning July
11 1, 2012, and ending June 30, 2013, are allocated as follows:

12 a. To be retained by the department of human services to
13 be used for coordinating with the department of human rights
14 to more effectively serve participants in the FIP program and
15 other shared clients and to meet federal reporting requirements
16 under the federal temporary assistance for needy families block
17 grant:

18	\$	10,000
19		<u>20,000</u>

20 b. To the department of human rights for staffing,
21 administration, and implementation of the family development
22 and self-sufficiency grant program in accordance with section
23 216A.107:

24	\$	2,671,417
25		<u>5,942,834</u>

26 (1) Of the funds allocated for the family development and
27 self-sufficiency grant program in this lettered paragraph,
28 not more than 5 percent of the funds shall be used for the
29 administration of the grant program.

30 (2) The department of human rights may continue to implement
31 the family development and self-sufficiency grant program
32 statewide during fiscal year 2012-2013.

33 c. For the diversion subaccount of the FIP account:

34	\$	849,200
35		<u>1,698,400</u>

1 A portion of the moneys allocated for the subaccount may
 2 be used for field operations salaries, data management system
 3 development, and implementation costs and support deemed
 4 necessary by the director of human services in order to
 5 administer the FIP diversion program.

6 d. For the food stamp employment and training program:

7 \$ ~~33,294~~
 8 66,588

9 (1) The department shall amend the food stamp employment and
 10 training state plan in order to maximize to the fullest extent
 11 permitted by federal law the use of the 50-50 match provisions
 12 for the claiming of allowable federal matching funds from the
 13 United States department of agriculture pursuant to the federal
 14 food stamp employment and training program for providing
 15 education, employment, and training services for eligible food
 16 assistance program participants, including but not limited to
 17 related dependent care and transportation expenses.

18 (2) The department shall continue the categorical federal
 19 food assistance program eligibility at 160 percent of the
 20 federal poverty level and continue to eliminate the asset test
 21 from eligibility requirements, consistent with federal food
 22 assistance program requirements. The department shall include
 23 as many food assistance households as is allowed by federal
 24 law. The eligibility provisions shall conform to all federal
 25 requirements including requirements addressing individuals who
 26 are incarcerated or otherwise ineligible.

27 e. For the JOBS program:

28 \$ ~~10,117,952~~
 29 20,235,905

30 5. Of the child support collections assigned under FIP,
 31 an amount equal to the federal share of support collections
 32 shall be credited to the child support recovery appropriation
 33 made in this division of this Act. Of the remainder of the
 34 assigned child support collections received by the child
 35 support recovery unit, a portion shall be credited to the FIP

1 account, a portion may be used to increase recoveries, and a
 2 portion may be used to sustain cash flow in the child support
 3 payments account. If as a consequence of the appropriations
 4 and allocations made in this section the resulting amounts
 5 are insufficient to sustain cash assistance payments and meet
 6 federal maintenance of effort requirements, the department
 7 shall seek supplemental funding. If child support collections
 8 assigned under FIP are greater than estimated or are otherwise
 9 determined not to be required for maintenance of effort, the
 10 state share of either amount may be transferred to or retained
 11 in the child support payment account.

12 6. The department may adopt emergency rules for the family
 13 investment, JOBS, food stamp, and medical assistance programs
 14 if necessary to comply with federal requirements.

15 Sec. 7. 2011 Iowa Acts, chapter 129, section 119, is amended
 16 to read as follows:

17 SEC. 119. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
 18 is appropriated from the general fund of the state to the
 19 department of human services for the fiscal year beginning July
 20 1, 2012, and ending June 30, 2013, the following amount, or
 21 so much thereof as is necessary, to be used for the purpose
 22 designated:

23 To be credited to the family investment program (FIP)
 24 account and used for family investment program assistance under
 25 chapter 239B:

26 \$ ~~25,085,513~~
 27 50,742,028

28 1. Of the funds appropriated in this section, ~~\$3,912,188~~
 29 \$7,824,377 is allocated for the JOBS program.

30 2. Of the funds appropriated in this section, ~~\$1,231,927~~
 31 \$3,063,854 is allocated for the family development and
 32 self-sufficiency grant program.

33 3. Notwithstanding section 8.39, for the fiscal year
 34 beginning July 1, 2012, if necessary to meet federal
 35 maintenance of effort requirements or to transfer federal

1 temporary assistance for needy families block grant funding
 2 to be used for purposes of the federal social services block
 3 grant or to meet cash flow needs resulting from delays in
 4 receiving federal funding or to implement, in accordance with
 5 this division of this Act, activities currently funded with
 6 juvenile court services, county, or community moneys and state
 7 moneys used in combination with such moneys, the department
 8 of human services may transfer funds within or between any
 9 of the appropriations made in this division of this Act and
 10 appropriations in law for the federal social services block
 11 grant to the department for the following purposes, provided
 12 that the combined amount of state and federal temporary
 13 assistance for needy families block grant funding for each
 14 appropriation remains the same before and after the transfer:

- 15 a. For the family investment program.
- 16 b. For child care assistance.
- 17 c. For child and family services.
- 18 d. For field operations.
- 19 e. For general administration.
- 20 f. ~~MH/MR/DD/BI community services (local purchase).~~

21 For distribution to counties for state case services for
 22 persons with mental illness, an intellectual disability, or a
 23 developmental disability in accordance with section 331.440.

24 This subsection shall not be construed to prohibit the use
 25 of existing state transfer authority for other purposes. The
 26 department shall report any transfers made pursuant to this
 27 subsection to the legislative services agency.

28 4. Of the funds appropriated in this section, ~~\$97,839~~
 29 \$195,678 shall be used for continuation of a grant to an
 30 Iowa-based nonprofit organization with a history of providing
 31 tax preparation assistance to low-income Iowans in order to
 32 expand the usage of the earned income tax credit. The purpose
 33 of the grant is to supply this assistance to underserved areas
 34 of the state.

35 4A. Of the funds appropriated in this section, \$500,000

1 shall be used for distribution to a nonprofit, tax-exempt
 2 association that receives donations under section 170 of the
 3 Internal Revenue Code and whose members include Iowa food
 4 banks and their affiliates that together serve all counties
 5 in the state, to be used to purchase food for distribution to
 6 food-insecure Iowans:

7 \$ 500,000

8 In purchasing food under this subsection, a preference
 9 shall be given to the purchase of food produced, processed, or
 10 packaged within this state whenever reasonably practicable.

11 5. The department may transfer funds appropriated in this
 12 section to the appropriations made in this division of this Act
 13 for general administration and field operations as necessary
 14 to administer this section and the overall family investment
 15 program.

16 Sec. 8. 2011 Iowa Acts, chapter 129, section 120, is amended
 17 to read as follows:

18 SEC. 120. CHILD SUPPORT RECOVERY. There is appropriated
 19 from the general fund of the state to the department of human
 20 services for the fiscal year beginning July 1, 2012, and ending
 21 June 30, 2013, the following amount, or so much thereof as is
 22 necessary, to be used for the purposes designated:

23 For child support recovery, including salaries, support,
 24 maintenance, and miscellaneous purposes, and for not more than
 25 the following full-time equivalent positions:

26 \$ ~~6,559,627~~
 27 13,377,993

28 FTEs 475.00

29 1. The department shall expend up to ~~\$12,164~~ \$24,329,
 30 including federal financial participation, for the fiscal year
 31 beginning July 1, 2012, for a child support public awareness
 32 campaign. The department and the office of the attorney
 33 general shall cooperate in continuation of the campaign. The
 34 public awareness campaign shall emphasize, through a variety
 35 of media activities, the importance of maximum involvement of

1 both parents in the lives of their children as well as the
2 importance of payment of child support obligations.

3 2. Federal access and visitation grant moneys shall be
4 issued directly to private not-for-profit agencies that provide
5 services designed to increase compliance with the child access
6 provisions of court orders, including but not limited to
7 neutral visitation sites and mediation services.

8 3. The appropriation made to the department for child
9 support recovery may be used throughout the fiscal year in the
10 manner necessary for purposes of cash flow management, and for
11 cash flow management purposes the department may temporarily
12 draw more than the amount appropriated, provided the amount
13 appropriated is not exceeded at the close of the fiscal year.

14 4. With the exception of the funding amount specified, the
15 requirements established under 2001 Iowa Acts, chapter 191,
16 section 3, subsection 5, paragraph "c", subparagraph (3), shall
17 be applicable to parental obligation pilot projects for the
18 fiscal year beginning July 1, 2012, and ending June 30, 2013.
19 Notwithstanding 441 IAC 100.8, providing for termination of
20 rules relating to the pilot projects, the rules shall remain
21 in effect until June 30, 2013.

22 MEDICAL ASSISTANCE PROGRAM

23 Sec. 9. 2011 Iowa Acts, chapter 129, section 122, unnumbered
24 paragraph 2, is amended to read as follows:

25 For medical assistance program reimbursement and associated
26 costs as specifically provided in the reimbursement
27 methodologies in effect on June 30, 2012, except as otherwise
28 expressly authorized by law, and consistent with options under
29 federal law and regulations:

30 ~~\$914,993,421~~
31 845,601,256

32 MEDICAL ASSISTANCE — DISPROPORTIONATE SHARE HOSPITAL

33 Sec. 10. 2011 Iowa Acts, chapter 129, section 122,
34 subsection 11, paragraph a, unnumbered paragraph 1, is amended
35 to read as follows:

1 Of the funds appropriated in this section, ~~\$7,425,684~~
 2 \$7,678,245 is allocated for the state match for a
 3 disproportionate share hospital payment of \$19,133,430 to
 4 hospitals that meet both of the conditions specified in
 5 subparagraphs (1) and (2). In addition, the hospitals that
 6 meet the conditions specified shall either certify public
 7 expenditures or transfer to the medical assistance program
 8 an amount equal to provide the nonfederal share for a
 9 disproportionate share hospital payment of \$7,500,000. The
 10 hospitals that meet the conditions specified shall receive and
 11 retain 100 percent of the total disproportionate share hospital
 12 payment of \$26,633,430.

13 MEDICAL ASSISTANCE — IOWACARE TRANSFER

14 Sec. 11. 2011 Iowa Acts, chapter 129, section 122,
 15 subsection 13, is amended to read as follows:

16 13. Of the funds appropriated in this section, up to
 17 ~~\$4,480,304~~ \$8,684,329 may be transferred to the IowaCare
 18 account created in section 249J.24.

19 MEDICAL ASSISTANCE — COST CONTAINMENT STRATEGIES

20 Sec. 12. 2011 Iowa Acts, chapter 129, section 122,
 21 subsection 20, paragraphs a and d, are amended to read as
 22 follows:

23 a. The department may continue to implement cost
 24 containment strategies recommended by the governor, ~~and for~~
 25 the fiscal year beginning July 1, 2011, and shall implement
 26 new strategies for the fiscal year beginning July 1, 2012, as
 27 specified in this division of this 2012 Act. The department
 28 may adopt emergency rules for such implementation.

29 d. If the savings to the medical assistance program for
 30 the fiscal year beginning July 1, 2012, exceed the cost, the
 31 department may transfer any savings generated for the fiscal
 32 year due to medical assistance program cost containment efforts
 33 initiated pursuant to 2010 Iowa Acts, chapter 1031, Executive
 34 Order No. 20, issued December 16, 2009, or cost containment
 35 strategies initiated pursuant to this subsection, to the

1 appropriation made in this division of this Act for medical
2 contracts or general administration to defray the increased
3 contract costs associated with implementing such efforts.

4 Sec. 13. 2011 Iowa Acts, chapter 129, section 122, is
5 amended by adding the following new subsections:

6 NEW SUBSECTION. 23. The department shall implement a
7 hospital inpatient reimbursement policy to provide for the
8 combining of an original claim for an inpatient stay with a
9 claim for a subsequent inpatient stay when the patient is
10 admitted within seven days of discharge from the original
11 hospital stay for the same condition.

12 NEW SUBSECTION. 24. The department shall transition
13 payment for and administration of services provided by
14 psychiatric medical institutions for children to the Iowa plan.

15 MEDICAL ASSISTANCE FOR EMPLOYED PEOPLE WITH DISABILITIES

16 Sec. 14. 2011 Iowa Acts, chapter 129, section 122, is
17 amended by adding the following new subsection:

18 NEW SUBSECTION. 25. The department of human services
19 shall adopt rules for the Medicaid for employed people with
20 disabilities program to provide that until such time as the
21 department adopts rules, annually, to implement the most
22 recently revised poverty guidelines published by the United
23 States department of health and human services, the calculation
24 of gross income eligibility and premium amounts shall not
25 include any increase in unearned income attributable to a
26 social security cost-of-living adjustment for an individual
27 or member of the individual's family whose unearned income is
28 included in such calculation.

29 STATE BALANCING INCENTIVE PAYMENTS PROGRAM

30 Sec. 15. 2011 Iowa Acts, chapter 129, section 122, is
31 amended by adding the following new subsection:

32 NEW SUBSECTION. 27. The funds received through
33 participation in the medical assistance state balancing
34 incentive payments program created pursuant to section 10202
35 of the federal Patient Protection and Affordable Care Act of

1 2010, Pub. L. No. 111-148 (2010), as amended by the federal
 2 Health Care and Education Reconciliation Act of 2010, Pub.
 3 L. No. 111-152, shall be used by the department of human
 4 services to comply with the requirements of the program
 5 including developing a no wrong door single entry point
 6 system; providing a conflict-free case management system;
 7 providing core standardized assessment instruments; complying
 8 with data collection requirements relating to services,
 9 quality, and outcomes; meeting the applicable target spending
 10 percentage required under the program to rebalance long-term
 11 care spending under the medical assistance program between
 12 home and community-based services and institution-based
 13 services; and for new or expanded medical assistance program
 14 non-institutionally based long-term care services and supports.

15 Sec. 16. 2011 Iowa Acts, chapter 129, section 123, is
 16 amended to read as follows:

17 SEC. 123. MEDICAL CONTRACTS. There is appropriated from the
 18 general fund of the state to the department of human services
 19 for the fiscal year beginning July 1, 2012, and ending June 30,
 20 2013, the following amount, or so much thereof as is necessary,
 21 to be used for the purpose designated:

22 For medical contracts:

23	\$ 5,453,728
24	<u>8,460,680</u>

25 1. The department of inspections and appeals shall
 26 provide all state matching funds for survey and certification
 27 activities performed by the department of inspections
 28 and appeals. The department of human services is solely
 29 responsible for distributing the federal matching funds for
 30 such activities.

31 2. Of the funds appropriated in this section, ~~\$25,000~~
 32 \$50,000 shall be used for continuation of home and
 33 community-based services waiver quality assurance programs,
 34 including the review and streamlining of processes and policies
 35 related to oversight and quality management to meet state and

1 federal requirements.

2 3. Of the amount appropriated in this section, up to
3 \$200,000 may be transferred to the appropriation for general
4 administration in this division of this Act to be used for
5 additional full-time equivalent positions in the development of
6 key health initiatives such as cost containment, development
7 and oversight of managed care programs, and development of
8 health strategies targeted toward improved quality and reduced
9 costs in the Medicaid program.

10 Sec. 17. 2011 Iowa Acts, chapter 129, section 124, is
11 amended to read as follows:

12 SEC. 124. STATE SUPPLEMENTARY ASSISTANCE.

13 1. There is appropriated from the general fund of the
14 state to the department of human services for the fiscal year
15 beginning July 1, 2012, and ending June 30, 2013, the following
16 amount, or so much thereof as is necessary, to be used for the
17 purpose designated:

18 For the state supplementary assistance program:

19 \$ ~~8,425,373~~
20 15,450,747

21 2. The department shall increase the personal needs
22 allowance for residents of residential care facilities by the
23 same percentage and at the same time as federal supplemental
24 security income and federal social security benefits are
25 increased due to a recognized increase in the cost of living.
26 The department may adopt emergency rules to implement this
27 subsection.

28 3. If during the fiscal year beginning July 1, 2012,
29 the department projects that state supplementary assistance
30 expenditures for a calendar year will not meet the federal
31 pass-through requirement specified in Tit. XVI of the federal
32 Social Security Act, section 1618, as codified in 42 U.S.C.
33 § 1382g, the department may take actions including but not
34 limited to increasing the personal needs allowance for
35 residential care facility residents and making programmatic

1 adjustments or upward adjustments of the residential care
 2 facility or in-home health-related care reimbursement rates
 3 prescribed in this division of this Act to ensure that federal
 4 requirements are met. In addition, the department may make
 5 other programmatic and rate adjustments necessary to remain
 6 within the amount appropriated in this section while ensuring
 7 compliance with federal requirements. The department may adopt
 8 emergency rules to implement the provisions of this subsection.

9 Sec. 18. 2011 Iowa Acts, chapter 129, section 125, is
 10 amended to read as follows:

11 SEC. 125. CHILDREN'S HEALTH INSURANCE PROGRAM.

12 1. There is appropriated from the general fund of the
 13 state to the department of human services for the fiscal year
 14 beginning July 1, 2012, and ending June 30, 2013, the following
 15 amount, or so much thereof as is necessary, to be used for the
 16 purpose designated:

17 For maintenance of the healthy and well kids in Iowa (hawk-i)
 18 program pursuant to chapter 514I, including supplemental dental
 19 services, for receipt of federal financial participation under
 20 Tit. XXI of the federal Social Security Act, which creates the
 21 children's health insurance program:

22 \$ ~~16,403,051~~
 23 40,400,160

24 2. Of the funds appropriated in this section, ~~\$64,475~~
 25 \$141,450 is allocated for continuation of the contract for
 26 outreach with the department of public health.

27 Sec. 19. 2011 Iowa Acts, chapter 129, section 126, is
 28 amended to read as follows:

29 SEC. 126. CHILD CARE ASSISTANCE. There is appropriated
 30 from the general fund of the state to the department of human
 31 services for the fiscal year beginning July 1, 2012, and ending
 32 June 30, 2013, the following amount, or so much thereof as is
 33 necessary, to be used for the purpose designated:

34 For child care programs:

35 \$ ~~26,618,831~~

61,087,940

1
2 1. Of the funds appropriated in this section, ~~\$25,948,041~~
3 \$59,718,513 shall be used for state child care assistance in
4 accordance with section 237A.13.

5 2. Nothing in this section shall be construed or is
6 intended as or shall imply a grant of entitlement for services
7 to persons who are eligible for assistance due to an income
8 level consistent with the waiting list requirements of section
9 237A.13. Any state obligation to provide services pursuant to
10 this section is limited to the extent of the funds appropriated
11 in this section.

12 3. Of the funds appropriated in this section, ~~\$216,226~~
13 \$432,453 is allocated for the statewide program for child care
14 resource and referral services under section 237A.26. A list
15 of the registered and licensed child care facilities operating
16 in the area served by a child care resource and referral
17 service shall be made available to the families receiving state
18 child care assistance in that area.

19 4. Of the funds appropriated in this section, ~~\$468,487~~
20 \$936,974 is allocated for child care quality improvement
21 initiatives including but not limited to the voluntary quality
22 rating system in accordance with section 237A.30.

23 5. The department may use any of the funds appropriated
24 in this section as a match to obtain federal funds for use in
25 expanding child care assistance and related programs. For
26 the purpose of expenditures of state and federal child care
27 funding, funds shall be considered obligated at the time
28 expenditures are projected or are allocated to the department's
29 service areas. Projections shall be based on current and
30 projected caseload growth, current and projected provider
31 rates, staffing requirements for eligibility determination
32 and management of program requirements including data systems
33 management, staffing requirements for administration of the
34 program, contractual and grant obligations and any transfers
35 to other state agencies, and obligations for decategorization

1 or innovation projects.

2 6. A portion of the state match for the federal child care
3 and development block grant shall be provided as necessary to
4 meet federal matching funds requirements through the state
5 general fund appropriation made for child development grants
6 and other programs for at-risk children in section 279.51.

7 7. If a uniform reduction ordered by the governor under
8 section 8.31 or other operation of law, transfer, or federal
9 funding reduction reduces the appropriation made in this
10 section for the fiscal year, the percentage reduction in the
11 amount paid out to or on behalf of the families participating
12 in the state child care assistance program shall be equal to or
13 less than the percentage reduction made for any other purpose
14 payable from the appropriation made in this section and the
15 federal funding relating to it. The percentage reduction to
16 the other allocations made in this section shall be the same as
17 the uniform reduction ordered by the governor or the percentage
18 change of the federal funding reduction, as applicable.

19 If there is an unanticipated increase in federal funding
20 provided for state child care assistance, the entire amount
21 of the increase shall be used for state child care assistance
22 payments. If the appropriations made for purposes of the
23 state child care assistance program for the fiscal year are
24 determined to be insufficient, it is the intent of the general
25 assembly to appropriate sufficient funding for the fiscal year
26 in order to avoid establishment of waiting list requirements.

27 8. Notwithstanding section 8.33, moneys ~~appropriated~~
28 ~~in this section or~~ advanced for purposes of the programs
29 developed by early childhood Iowa areas, advanced for purposes
30 of wraparound child care, or received from the federal
31 appropriations made for the purposes of this section that
32 remain unencumbered or unobligated at the close of the fiscal
33 year shall not revert to any fund but shall remain available
34 for expenditure for the purposes designated until the close of
35 the succeeding fiscal year.

1 Sec. 20. 2011 Iowa Acts, chapter 129, section 127, is
2 amended to read as follows:

3 SEC. 127. JUVENILE INSTITUTIONS. There is appropriated
4 from the general fund of the state to the department of human
5 services for the fiscal year beginning July 1, 2012, and ending
6 June 30, 2013, the following amounts, or so much thereof as is
7 necessary, to be used for the purposes designated:

8 1. For operation of the Iowa juvenile home at Toledo and for
9 salaries, support, maintenance, and miscellaneous purposes, and
10 for not more than the following full-time equivalent positions:
11 \$ ~~4,129,125~~
12 8,328,264
13 FTEs 114.00

14 2. For operation of the state training school at Eldora and
15 for salaries, support, maintenance, and miscellaneous purposes,
16 and for not more than the following full-time equivalent
17 positions:
18 \$ ~~5,319,338~~
19 10,740,988
20 FTEs 164.30

21 Of the funds appropriated in this subsection, ~~\$45,575~~
22 \$91,150 shall be used for distribution to licensed classroom
23 teachers at this and other institutions under the control of
24 the department of human services based upon the average student
25 yearly enrollment at each institution as determined by the
26 department.

27 3. A portion of the moneys appropriated in this section
28 shall be used by the state training school and by the Iowa
29 juvenile home for grants for adolescent pregnancy prevention
30 activities at the institutions in the fiscal year beginning
31 July 1, 2012.

32 Sec. 21. 2011 Iowa Acts, chapter 129, section 128, is
33 amended to read as follows:

34 SEC. 128. CHILD AND FAMILY SERVICES.

35 1. There is appropriated from the general fund of the

1 state to the department of human services for the fiscal year
 2 beginning July 1, 2012, and ending June 30, 2013, the following
 3 amount, or so much thereof as is necessary, to be used for the
 4 purpose designated:

5 For child and family services:

6 \$ ~~41,415,081~~
 7 83,669,130

8 2. In order to address a reduction of \$5,200,000 from the
 9 amount allocated under the appropriation made for the purposes
 10 of this section in prior years for purposes of juvenile
 11 delinquent graduated sanction services, up to ~~\$2,600,000~~
 12 \$5,200,000 of the amount of federal temporary assistance
 13 for needy families block grant funding appropriated in this
 14 division of this Act for child and family services shall be
 15 made available for purposes of juvenile delinquent graduated
 16 sanction services.

17 3. The department may transfer funds appropriated in this
 18 section as necessary to pay the nonfederal costs of services
 19 reimbursed under the medical assistance program, state child
 20 care assistance program, or the family investment program
 21 which are provided to children who would otherwise receive
 22 services paid under the appropriation in this section. The
 23 department may transfer funds appropriated in this section
 24 to the appropriations made in this division of this Act for
 25 general administration and for field operations for resources
 26 necessary to implement and operate the services funded in this
 27 section. The department may transfer funds appropriated in
 28 this section to the appropriation made in this division of
 29 this Act for adoption subsidy to support the adjustment in
 30 reimbursement rates for specified child welfare providers as
 31 provided in this 2012 Act.

32 4. a. Of the funds appropriated in this section, up
 33 to ~~\$15,084,564~~ \$31,438,622 is allocated as the statewide
 34 expenditure target under section 232.143 for group foster care
 35 maintenance and services. If the department projects that such

1 expenditures for the fiscal year will be less than the target
2 amount allocated in this lettered paragraph, the department may
3 reallocate the excess to provide additional funding for shelter
4 care or the child welfare emergency services addressed with the
5 allocation for shelter care.

6 b. If at any time after September 30, 2012, annualization
7 of a service area's current expenditures indicates a service
8 area is at risk of exceeding its group foster care expenditure
9 target under section 232.143 by more than 5 percent, the
10 department and juvenile court services shall examine all
11 group foster care placements in that service area in order to
12 identify those which might be appropriate for termination.
13 In addition, any aftercare services believed to be needed
14 for the children whose placements may be terminated shall be
15 identified. The department and juvenile court services shall
16 initiate action to set dispositional review hearings for the
17 placements identified. In such a dispositional review hearing,
18 the juvenile court shall determine whether needed aftercare
19 services are available and whether termination of the placement
20 is in the best interest of the child and the community.

21 5. In accordance with the provisions of section 232.188,
22 the department shall continue the child welfare and juvenile
23 justice funding initiative during fiscal year 2012-2013. Of
24 the funds appropriated in this section, ~~\$858,876~~ \$1,717,753
25 is allocated specifically for expenditure for fiscal year
26 2012-2013 through the decategorization service funding pools
27 and governance boards established pursuant to section 232.188.

28 6. A portion of the funds appropriated in this section
29 may be used for emergency family assistance to provide other
30 resources required for a family participating in a family
31 preservation or reunification project or successor project to
32 stay together or to be reunified.

33 7. Notwithstanding section 234.35 or any other provision
34 of law to the contrary, state funding for shelter care and
35 the child welfare emergency services contracting implemented

1 to provide for or prevent the need for shelter care shall be
 2 limited to ~~\$3,585,058~~ \$7,385,639. The department may continue
 3 or execute contracts that result from the department's request
 4 for proposal, bid number ACFS-11-114, to provide the range of
 5 child welfare emergency services described in the request for
 6 proposals, and any subsequent amendments to the request for
 7 proposals.

8 8. Federal funds received by the state during the fiscal
 9 year beginning July 1, 2012, as the result of the expenditure
 10 of state funds appropriated during a previous state fiscal
 11 year for a service or activity funded under this section are
 12 appropriated to the department to be used as additional funding
 13 for services and purposes provided for under this section.
 14 Notwithstanding section 8.33, moneys received in accordance
 15 with this subsection that remain unencumbered or unobligated at
 16 the close of the fiscal year shall not revert to any fund but
 17 shall remain available for the purposes designated until the
 18 close of the succeeding fiscal year.

19 ~~9. Of the funds appropriated in this section, at least~~
 20 ~~\$1,848,142 shall be used for protective child care assistance.~~

21 10. a. Of the funds appropriated in this section, up to
 22 ~~\$1,031,244~~ \$2,062,488 is allocated for the payment of the
 23 expenses of court-ordered services provided to juveniles who
 24 are under the supervision of juvenile court services, which
 25 expenses are a charge upon the state pursuant to section
 26 232.141, subsection 4. Of the amount allocated in this
 27 lettered paragraph, up to ~~\$778,143~~ \$1,556,287 shall be made
 28 available to provide school-based supervision of children
 29 adjudicated under chapter 232, of which not more than ~~\$7,500~~
 30 \$15,000 may be used for the purpose of training. A portion of
 31 the cost of each school-based liaison officer shall be paid by
 32 the school district or other funding source as approved by the
 33 chief juvenile court officer.

34 b. Of the funds appropriated in this section, up to ~~\$374,492~~
 35 \$748,985 is allocated for the payment of the expenses of

1 court-ordered services provided to children who are under the
2 supervision of the department, which expenses are a charge upon
3 the state pursuant to section 232.141, subsection 4.

4 c. Notwithstanding section 232.141 or any other provision
5 of law to the contrary, the amounts allocated in this
6 subsection shall be distributed to the judicial districts
7 as determined by the state court administrator and to the
8 department's service areas as determined by the administrator
9 of the department's division of child and family services. The
10 state court administrator and the division administrator shall
11 make the determination of the distribution amounts on or before
12 June 15, 2012.

13 d. Notwithstanding chapter 232 or any other provision of
14 law to the contrary, a district or juvenile court shall not
15 order any service which is a charge upon the state pursuant
16 to section 232.141 if there are insufficient court-ordered
17 services funds available in the district court or departmental
18 service area distribution amounts to pay for the service. The
19 chief juvenile court officer and the departmental service area
20 manager shall encourage use of the funds allocated in this
21 subsection such that there are sufficient funds to pay for
22 all court-related services during the entire year. The chief
23 juvenile court officers and departmental service area managers
24 shall attempt to anticipate potential surpluses and shortfalls
25 in the distribution amounts and shall cooperatively request the
26 state court administrator or division administrator to transfer
27 funds between the judicial districts' or departmental service
28 areas' distribution amounts as prudent.

29 e. Notwithstanding any provision of law to the contrary,
30 a district or juvenile court shall not order a county to pay
31 for any service provided to a juvenile pursuant to an order
32 entered under chapter 232 which is a charge upon the state
33 under section 232.141, subsection 4.

34 f. Of the funds allocated in this subsection, not more
35 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for

1 administration of the requirements under this subsection.

2 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
3 shall be used by the department of human services to support
4 the interstate commission for juveniles in accordance with
5 the interstate compact for juveniles as provided in section
6 232.173.

7 11. Of the funds appropriated in this section, ~~\$2,961,301~~
8 \$6,222,602 is allocated for juvenile delinquent graduated
9 sanctions services. Any state funds saved as a result of
10 efforts by juvenile court services to earn federal Tit. IV-E
11 match for juvenile court services administration may be used
12 for the juvenile delinquent graduated sanctions services.

13 12. Of the funds appropriated in this section, ~~\$494,142~~
14 \$2,238,285 shall be transferred to the department of public
15 health to be used for the child protection center grant program
16 in accordance with section 135.118. Of the amount allocated in
17 this subsection, \$250,000 shall be used for a center for the
18 Black Hawk county area.

19 13. If the department receives federal approval to
20 implement a waiver under Tit. IV-E of the federal Social
21 Security Act to enable providers to serve children who remain
22 in the children's families and communities, for purposes of
23 eligibility under the medical assistance program, children who
24 participate in the waiver shall be considered to be placed in
25 foster care.

26 14. Of the funds appropriated in this section, ~~\$1,534,916~~
27 \$3,092,375 is allocated for the preparation for adult living
28 program pursuant to section 234.46.

29 15. Of the funds appropriated in this section, ~~\$260,075~~
30 \$520,150 shall be used for juvenile drug courts. The amount
31 allocated in this subsection shall be distributed as follows:

32 To the judicial branch for salaries to assist with the
33 operation of juvenile drug court programs operated in the
34 following jurisdictions:

35 a. Marshall county:

1 \$ ~~31,354~~
 2 62,708
 3 b. Woodbury county:
 4 \$ ~~62,841~~
 5 125,682
 6 c. Polk county:
 7 \$ ~~97,946~~
 8 195,892
 9 d. The third judicial district:
 10 \$ ~~33,967~~
 11 67,934
 12 e. The eighth judicial district:
 13 \$ ~~33,967~~
 14 67,934
 15 16. Of the funds appropriated in this section, ~~\$113,668~~
 16 \$227,337 shall be used for the public purpose of ~~providing~~
 17 continuing a grant to a nonprofit human services organization
 18 providing services to individuals and families in multiple
 19 locations in southwest Iowa and Nebraska for support of a
 20 project providing immediate, sensitive support and forensic
 21 interviews, medical exams, needs assessments, and referrals for
 22 victims of child abuse and their nonoffending family members.
 23 17. Of the funds appropriated in this section, ~~\$62,795~~
 24 \$200,590 is allocated for the ~~elevate~~ foster care youth council
 25 approach of providing a support network to children placed in
 26 foster care.
 27 18. Of the funds appropriated in this section, ~~\$101,000~~
 28 \$202,000 is allocated for use pursuant to section 235A.1 for
 29 continuation of the initiative to address child sexual abuse
 30 implemented pursuant to 2007 Iowa Acts, chapter 218, section
 31 18, subsection 21.
 32 19. Of the funds appropriated in this section, ~~\$315,120~~
 33 \$630,240 is allocated for the community partnership for child
 34 protection sites.
 35 20. Of the funds appropriated in this section, ~~\$185,625~~

1 \$371,250 is allocated for the department's minority youth and
2 family projects under the redesign of the child welfare system.

3 21. Of the funds appropriated in this section, ~~\$600,247~~
4 \$1,436,595 is allocated for funding of the ~~state match for~~
5 community circle of care collaboration for children and
6 youth in northeast Iowa, formerly referred to as the federal
7 substance abuse and mental health services administration
8 (SAMHSA) system of care grant.

9 22. Of the funds appropriated in this section, at least
10 ~~\$73,579~~ \$147,158 shall be used for the child welfare training
11 academy.

12 23. Of the funds appropriated in this section, ~~\$12,500~~
13 \$25,000 shall be used for the public purpose of continuation
14 of a grant to a child welfare services provider headquartered
15 in a county with a population between 205,000 and 215,000 in
16 the latest certified federal census that provides multiple
17 services including but not limited to a psychiatric medical
18 institution for children, shelter, residential treatment, after
19 school programs, school-based programming, and an Asperger's
20 syndrome program, to be used for support services for children
21 with autism spectrum disorder and their families.

22 23A. Of the funds appropriated in this section, \$25,000
23 shall be used for the public purpose of providing a grant to
24 a hospital-based provider headquartered in a county with a
25 population between 90,000 and 95,000 in the latest certified
26 federal census that provides multiple services including
27 but not limited to diagnostic, therapeutic, and behavioral
28 services to individuals with autism spectrum disorder across
29 the lifespan. The grant recipient shall utilize the funds to
30 implement a pilot project to determine the necessary support
31 services for children with autism spectrum disorder and
32 their families to be included in the children's disabilities
33 services system. The grant recipient shall submit findings and
34 recommendations based upon the results of the pilot project
35 to the individuals specified in this division of this Act for

1 submission of reports by December 31, 2012.

2 24. Of the funds appropriated in this section ~~\$125,000~~
3 \$327,947 shall be used for continuation of the central Iowa
4 system of care program grant through June 30, 2013.

5 25. Of the funds appropriated in this section, ~~\$80,000~~
6 \$160,000 shall be used for the public purpose of the
7 continuation of a system of care grant implemented in Cerro
8 Gordo and Linn counties in accordance with this Act in FY
9 2011-2012.

10 Sec. 22. 2011 Iowa Acts, chapter 129, section 129, is
11 amended to read as follows:

12 SEC. 129. ADOPTION SUBSIDY.

13 1. There is appropriated from the general fund of the
14 state to the department of human services for the fiscal year
15 beginning July 1, 2012, and ending June 30, 2013, the following
16 amount, or so much thereof as is necessary, to be used for the
17 purpose designated:

18 For adoption subsidy payments and services:

19 \$ ~~16,633,295~~
20 33,238,897

21 2. The department may transfer funds appropriated in
22 this section to the appropriation made in this division of
23 this Act for general administration for costs paid from the
24 appropriation relating to adoption subsidy. The department
25 may transfer funds appropriated in this section to the
26 appropriation made in this division of this Act for child and
27 family services to support the adjustment in reimbursement
28 rates for specified child welfare providers as provided in this
29 2012 Act.

30 3. Federal funds received by the state during the
31 fiscal year beginning July 1, 2012, as the result of the
32 expenditure of state funds during a previous state fiscal
33 year for a service or activity funded under this section are
34 appropriated to the department to be used as additional funding
35 for the services and activities funded under this section.

1 Notwithstanding section 8.33, moneys received in accordance
2 with this subsection that remain unencumbered or unobligated
3 at the close of the fiscal year shall not revert to any fund
4 but shall remain available for expenditure for the purposes
5 designated until the close of the succeeding fiscal year.

6 Sec. 23. 2011 Iowa Acts, chapter 129, section 131, is
7 amended to read as follows:

8 SEC. 131. FAMILY SUPPORT SUBSIDY PROGRAM.

9 1. There is appropriated from the general fund of the
10 state to the department of human services for the fiscal year
11 beginning July 1, 2012, and ending June 30, 2013, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purpose designated:

14 For the family support subsidy program subject to the
15 enrollment restrictions in section 225C.37, subsection 3:

16 \$ ~~583,999~~
17 1,096,784

18 2. The department shall use at least ~~\$192,750~~ \$385,500
19 of the moneys appropriated in this section for the family
20 support center component of the comprehensive family support
21 program under section 225C.47. Not more than ~~\$12,500~~ \$25,000
22 of the amount allocated in this subsection shall be used for
23 administrative costs.

24 3. If at any time during the fiscal year, the amount of
25 funding available for the family support subsidy program
26 is reduced from the amount initially used to establish the
27 figure for the number of family members for whom a subsidy
28 is to be provided at any one time during the fiscal year,
29 notwithstanding section 225C.38, subsection 2, the department
30 shall revise the figure as necessary to conform to the amount
31 of funding available.

32 Sec. 24. 2011 Iowa Acts, chapter 129, section 132, is
33 amended to read as follows:

34 SEC. 132. CONNER DECREE. There is appropriated from the
35 general fund of the state to the department of human services

1 for the fiscal year beginning July 1, 2012, and ending June 30,
 2 2013, the following amount, or so much thereof as is necessary,
 3 to be used for the purpose designated:

4 For building community capacity through the coordination
 5 and provision of training opportunities in accordance with the
 6 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
 7 Iowa, July 14, 1994):

8	\$	16,811
9		<u>33,622</u>

10 Sec. 25. 2011 Iowa Acts, chapter 129, section 133, is
 11 amended to read as follows:

12 SEC. 133. MENTAL HEALTH INSTITUTES. There is appropriated
 13 from the general fund of the state to the department of human
 14 services for the fiscal year beginning July 1, 2012, and ending
 15 June 30, 2013, the following amounts, or so much thereof as is
 16 necessary, to be used for the purposes designated:

17 1. For the state mental health institute at Cherokee for		
18 salaries, support, maintenance, and miscellaneous purposes, and		
19 for not more than the following full-time equivalent positions:		
20	\$	2,938,654
21		<u>5,641,037</u>
22	FTEs	168.50

23 2. For the state mental health institute at Clarinda for		
24 salaries, support, maintenance, and miscellaneous purposes, and		
25 for not more than the following full-time equivalent positions:		
26	\$	3,205,867
27		<u>6,463,337</u>
28	FTEs	86.10

29 3. For the state mental health institute at Independence for		
30 salaries, support, maintenance, and miscellaneous purposes, and		
31 for not more than the following full-time equivalent positions:		
32	\$	5,137,842
33		<u>9,804,212</u>
34	FTEs	233.00

35 4. For the state mental health institute at Mount Pleasant

1 for salaries, support, maintenance, and miscellaneous purposes,
 2 and for not more than the following full-time equivalent
 3 positions:

4	\$	472,161
5		<u>944,323</u>
6	FTEs	97.72

7 Sec. 26. 2011 Iowa Acts, chapter 129, section 134, is
 8 amended to read as follows:

9 SEC. 134. STATE RESOURCE CENTERS.

10 1. There is appropriated from the general fund of the
 11 state to the department of human services for the fiscal year
 12 beginning July 1, 2012, and ending June 30, 2013, the following
 13 amounts, or so much thereof as is necessary, to be used for the
 14 purposes designated:

15 a. For the state resource center at Glenwood for salaries,
 16 support, maintenance, and miscellaneous purposes:

17	\$	9,253,900
18		<u>19,092,576</u>

19 b. For the state resource center at Woodward for salaries,
 20 support, maintenance, and miscellaneous purposes:

21	\$	6,392,829
22		<u>13,176,093</u>

23 2. The department may continue to bill for state resource
 24 center services utilizing a scope of services approach used for
 25 private providers of ICFMR services, in a manner which does not
 26 shift costs between the medical assistance program, counties,
 27 or other sources of funding for the state resource centers.

28 3. The state resource centers may expand the time-limited
 29 assessment and respite services during the fiscal year.

30 4. If the department's administration and the department
 31 of management concur with a finding by a state resource
 32 center's superintendent that projected revenues can reasonably
 33 be expected to pay the salary and support costs for a new
 34 employee position, or that such costs for adding a particular
 35 number of new positions for the fiscal year would be less

1 than the overtime costs if new positions would not be added,
 2 the superintendent may add the new position or positions. If
 3 the vacant positions available to a resource center do not
 4 include the position classification desired to be filled, the
 5 state resource center's superintendent may reclassify any
 6 vacant position as necessary to fill the desired position. The
 7 superintendents of the state resource centers may, by mutual
 8 agreement, pool vacant positions and position classifications
 9 during the course of the fiscal year in order to assist one
 10 another in filling necessary positions.

11 5. If existing capacity limitations are reached in
 12 operating units, a waiting list is in effect for a service or
 13 a special need for which a payment source or other funding
 14 is available for the service or to address the special need,
 15 and facilities for the service or to address the special need
 16 can be provided within the available payment source or other
 17 funding, the superintendent of a state resource center may
 18 authorize opening not more than two units or other facilities
 19 and begin implementing the service or addressing the special
 20 need during fiscal year 2012-2013.

21 Sec. 27. 2011 Iowa Acts, chapter 129, section 135, is
 22 amended to read as follows:

23 SEC. 135. MI/MR/DD STATE CASES.

24 1. There is appropriated from the general fund of the
 25 state to the department of human services for the fiscal year
 26 beginning July 1, 2012, and ending June 30, 2013, the following
 27 amount, or so much thereof as is necessary, to be used for the
 28 purpose designated:

29 For distribution to counties for state case services
 30 for persons with mental illness, mental retardation, and
 31 developmental disabilities in accordance with section 331.440:
 32 \$ ~~6,084,741~~
 33 12,169,482

34 2. For the fiscal year beginning July 1, 2012, and ending
 35 June 30, 2013, ~~\$100,000~~ \$200,000 is allocated for state case

1 services from the amounts appropriated from the fund created
 2 in section 8.41 to the department of human services from the
 3 funds received from the federal government under 42 U.S.C. ch.
 4 6A, subch. XVII, relating to the community mental health center
 5 block grant, for the federal fiscal years beginning October
 6 1, 2010, and ending September 30, 2011, beginning October 1,
 7 2011, and ending September 30, 2012, and beginning October 1,
 8 2012, and ending September 30, 2013. The allocation made in
 9 this subsection shall be made prior to any other distribution
 10 allocation of the appropriated federal funds.

11 3. Notwithstanding section 8.33, moneys appropriated in
 12 this section that remain unencumbered or unobligated at the
 13 close of the fiscal year shall not revert but shall remain
 14 available for expenditure for the purposes designated until the
 15 close of the succeeding fiscal year.

16 Sec. 28. 2011 Iowa Acts, chapter 129, section 137, is
 17 amended to read as follows:

18 SEC. 137. SEXUALLY VIOLENT PREDATORS.

19 1. There is appropriated from the general fund of the
 20 state to the department of human services for the fiscal year
 21 beginning July 1, 2012, and ending June 30, 2013, the following
 22 amount, or so much thereof as is necessary, to be used for the
 23 purpose designated:

24 For costs associated with the commitment and treatment of
 25 sexually violent predators in the unit located at the state
 26 mental health institute at Cherokee, including costs of legal
 27 services and other associated costs, including salaries,
 28 support, maintenance, and miscellaneous purposes, and for not
 29 more than the following full-time equivalent positions:

30	\$	3,775,363
31		<u>9,113,668</u>
32	FTEs	89.50
33		<u>115.50</u>

34 2. Unless specifically prohibited by law, if the amount
 35 charged provides for recoupment of at least the entire amount

1 of direct and indirect costs, the department of human services
 2 may contract with other states to provide care and treatment
 3 of persons placed by the other states at the unit for sexually
 4 violent predators at Cherokee. The moneys received under
 5 such a contract shall be considered to be repayment receipts
 6 and used for the purposes of the appropriation made in this
 7 section.

8 Sec. 29. 2011 Iowa Acts, chapter 129, section 138, is
 9 amended to read as follows:

10 SEC. 138. FIELD OPERATIONS. There is appropriated from the
 11 general fund of the state to the department of human services
 12 for the fiscal year beginning July 1, 2012, and ending June 30,
 13 2013, the following amount, or so much thereof as is necessary,
 14 to be used for the purposes designated:

15 For field operations, including salaries, support,
 16 maintenance, and miscellaneous purposes, and for not more than
 17 the following full-time equivalent positions:

18	\$ 27,394,960
19	<u>61,915,440</u>
20	FTEs 1,781.00

21 Priority in filling full-time equivalent positions shall be
 22 given to those positions related to child protection services
 23 and eligibility determination for low-income families.

24 Notwithstanding section 8.33, moneys appropriated in this
 25 section that remain unencumbered or unobligated at the close of
 26 the fiscal year shall not revert but shall remain available for
 27 expenditure for the purposes designated until the close of the
 28 succeeding fiscal year.

29 Sec. 30. 2011 Iowa Acts, chapter 129, section 139, is
 30 amended to read as follows:

31 SEC. 139. GENERAL ADMINISTRATION. There is appropriated
 32 from the general fund of the state to the department of human
 33 services for the fiscal year beginning July 1, 2012, and ending
 34 June 30, 2013, the following amount, or so much thereof as is
 35 necessary, to be used for the purpose designated:

1 For general administration, including salaries, support,
 2 maintenance, and miscellaneous purposes, and for not more than
 3 the following full-time equivalent positions:

4	\$	7,298,372
5		<u>15,841,874</u>
6	FTEs	285.00 <u>295.00</u>

7 1. Of the funds appropriated in this section, ~~\$19,271~~
 8 \$38,543 allocated for the prevention of disabilities policy
 9 council established in section 225B.3.

10 2. The department shall report at least monthly to the
 11 legislative services agency concerning the department's
 12 operational and program expenditures.

13 3. Of the funds appropriated in this section, ~~\$66,150~~
 14 \$132,300 shall be used to continue the contract for the
 15 provision of a program to provide technical assistance,
 16 support, and consultation to providers of habilitation services
 17 and home and community-based services waiver services for
 18 adults with disabilities under the medical assistance program.

19 4. Of the funds appropriated in this section, ~~\$88,200~~
 20 \$500,000 shall be used to continue the contract to expand
 21 the provision of nationally accredited and recognized
 22 internet-based training to include mental health and disability
 23 services providers.

24 5. Of the funds appropriated in this section, ~~\$250,000~~
 25 \$500,000 shall be used for continuation of child protection
 26 system improvements addressed in 2011 Iowa Acts, ~~House File~~
 27 ~~562, as enacted~~ chapter 28.

28 6. Notwithstanding section 8.33, moneys appropriated in
 29 this section that remain unencumbered or unobligated at the
 30 close of the fiscal year shall not revert but shall remain
 31 available for expenditure for the purposes designated until the
 32 close of the succeeding fiscal year.

33 Sec. 31. 2011 Iowa Acts, chapter 129, section 140, is
 34 amended to read as follows:

35 SEC. 140. VOLUNTEERS. There is appropriated from the

1 general fund of the state to the department of human services
 2 for the fiscal year beginning July 1, 2012, and ending June 30,
 3 2013, the following amount, or so much thereof as is necessary,
 4 to be used for the purpose designated:

5 For development and coordination of volunteer services:

6	\$	42,330
7		<u>84,660</u>

8 PROVIDER REIMBURSEMENT — NURSING FACILITIES

9 Sec. 32. 2011 Iowa Acts, chapter 129, section 141,
 10 subsection 1, paragraph a, subparagraph (1), is amended to read
 11 as follows:

12 (1) For the fiscal year beginning July 1, 2012, the total
 13 state funding amount for the nursing facility budget shall not
 14 exceed ~~\$225,457,724~~ \$239,726,901.

15 Sec. 33. 2011 Iowa Acts, chapter 129, section 141,
 16 subsection 1, paragraph a, is amended by adding the following
 17 new subparagraph:

18 NEW SUBPARAGRAPH. (1A) For the fiscal year beginning July
 19 1, 2012, and ending June 30, 2013, and within the total state
 20 funding amount identified in subparagraph (1), the department
 21 shall distribute not more than \$2,500,000 in reimbursement to
 22 nursing facilities by adjusting the statewide median of the
 23 direct care component of nursing facility costs based upon
 24 the most recent cost report submitted by the nursing facility
 25 for the period ending on or before December 31, 2011, and
 26 inflating these costs forward to July 1, 2012, by using the
 27 midpoint of each cost report and applying the skilled nursing
 28 facility market basket index. The department shall adjust the
 29 reimbursement calculated under this subparagraph as necessary
 30 to maintain expenditures of the nursing facility budget
 31 within the state funding amount specified in this subparagraph
 32 and within the total state funding amount identified in
 33 subparagraph (1) for the fiscal year.

34 PROVIDER REIMBURSEMENT — PHARMACY, PMICS, HOME HEALTH
 35 AGENCIES, HCBS WAIVER

1 Sec. 34. 2011 Iowa Acts, chapter 129, section 141,
2 subsection 1, paragraphs b, f, i, and q, are amended to read as
3 follows:

4 b. (1) For the fiscal year beginning July 1, 2012, the
5 department shall reimburse pharmacy dispensing fees using a
6 single rate of range between \$4.34 per prescription or the
7 pharmacy's usual and customary fee, whichever is lower, and
8 \$11.10 per prescription. The actual dispensing fee set within
9 the range shall be determined by a cost of dispensing survey
10 performed by the department and required to be completed by all
11 medical assistance program participating pharmacies.
12 ~~However, the department shall adjust the dispensing fee~~
13 ~~specified in this paragraph to distribute an additional~~
14 ~~\$2,981,980 in reimbursements for pharmacy dispensing fees under~~
15 ~~this paragraph for the fiscal year.~~

16 (2) The department shall implement an average acquisition
17 cost reimbursement methodology for all drugs covered under the
18 medical assistance program. The methodology shall utilize a
19 survey of pharmacy invoices from a rotation of pharmacies in
20 determining the average acquisition cost component of pharmacy
21 reimbursement. Pharmacies and providers that are enrolled
22 in the medical assistance program shall make available drug
23 acquisition cost invoice information, product availability
24 information if known, and other information deemed necessary
25 by the department to assist the department in monitoring and
26 revising the reimbursement rates and for efficient operation of
27 the pharmacy benefit. The department shall provide a process
28 for pharmacies to address average acquisition cost prices that
29 are not reflective of the actual cost of a drug.

30 (a) A pharmacy or provider shall produce and submit the
31 requested information in the manner and format requested by the
32 department or its designee at no cost to the department or its
33 designee.

34 (b) A pharmacy or provider shall submit information to the
35 department or its designee within the time frame indicated

1 following receipt of a request for information unless the
2 department or its designee grants an extension upon written
3 request of the pharmacy or provider.

4 f. For the fiscal year beginning July 1, 2012, reimbursement
5 rates for home health agencies shall ~~remain at~~ be increased by
6 2 percent over the rates in effect on June 30, 2012, not to
7 exceed a home health agency's actual allowable cost.

8 i. (1) For the fiscal year beginning July 1, 2012,
9 state-owned psychiatric medical institutions for children shall
10 receive cost-based reimbursement for 100 percent of the actual
11 and allowable costs for the provision of services to recipients
12 of medical assistance.

13 (2) For the nonstate-owned psychiatric medical institutions
14 for children, reimbursement rates shall be based on the
15 reimbursement methodology developed by the department as
16 required for federal compliance.

17 (3) As a condition of participation in the medical
18 assistance program, enrolled providers shall accept the medical
19 assistance reimbursement rate for any covered goods or services
20 provided to recipients of medical assistance who are children
21 under the custody of a psychiatric medical institution for
22 children.

23 q. For the fiscal year beginning July 1, 2012, the
24 ~~department shall adjust the rates in effect on June 30, 2012,~~
25 reimbursement rates for providers of home and community-based
26 services waiver services ~~to distribute an additional \$1,500,000~~
27 ~~in reimbursements to such providers for the fiscal year shall~~
28 be increased by 2 percent over the rates in effect on June 30,
29 2012.

30 PROVIDER REIMBURSEMENT — SPECIFIED CHILD WELFARE PROVIDERS

31 Sec. 35. 2011 Iowa Acts, chapter 129, section 141, is
32 amended by adding the following new subsection:

33 NEW SUBSECTION. 6A. For the fiscal year beginning July
34 1, 2012, the department shall adjust the foster family basic
35 daily maintenance rate, the maximum adoption subsidy rates

1 for children, the family-centered service providers rate,
2 the family foster care service providers rate, the group
3 foster care service providers rate, and the resource family
4 recruitment and retention contractor rate, as such rates are
5 identified in this section and were in effect on June 30,
6 2012, in order to distribute an additional \$3,070,512 in state
7 reimbursements equitably to such providers for the fiscal year.

8 PROVIDER REIMBURSEMENT — CHILD CARE

9 Sec. 36. 2011 Iowa Acts, chapter 129, section 141,
10 subsection 10, is amended to read as follows:

11 10. For the fiscal year beginning July 1, 2012, for child
12 care providers reimbursed under the state child care assistance
13 program, the department shall set provider reimbursement
14 rates based on the rate reimbursement survey completed in
15 December 2004. Effective July 1, 2012, the child care provider
16 reimbursement rates shall ~~remain at~~ be increased by 4 percent
17 over the rates in effect on June 30, 2012. The department
18 shall set rates in a manner so as to provide incentives for a
19 nonregistered provider to become registered by applying the
20 increase only to registered and licensed providers.

21 REBASING STUDY — MEDICAID HOME HEALTH AND HCBS WAIVER SERVICE
22 PROVIDERS

23 Sec. 37. 2011 Iowa Acts, chapter 129, section 141, is
24 amended by adding the following new subsection:

25 NEW SUBSECTION. 10A. The department shall review
26 reimbursement of home health agency and home and
27 community-based services waiver services providers and shall
28 submit a recommendation for a rebasing methodology applicable
29 to such providers for the fiscal year beginning July 1, 2013,
30 and thereafter, to the individuals identified in this division
31 of this Act for receipt of reports.

32 ELDERLY WAIVER

33 Sec. 38. 2011 Iowa Acts, chapter 129, section 141, is
34 amended by adding the following new subsection:

35 NEW SUBSECTION. 10B. The department shall increase the

1 monthly reimbursement cap for the medical assistance home and
2 community-based services waiver for the elderly to \$1,400 per
3 month.

4 REPORTS

5 Sec. 39. 2011 Iowa Acts, chapter 129, section 143, is
6 amended to read as follows:

7 SEC. 143. REPORTS. Any reports or other information
8 required to be compiled and submitted under this Act shall be
9 submitted to the chairpersons and ranking members of the joint
10 appropriations subcommittee on health and human services, the
11 legislative services agency, and the legislative caucus staffs
12 on or before the dates specified for submission of the reports
13 or information.

14 DIVISION V

15 HEALTH CARE ACCOUNTS AND FUNDS

16 PHARMACEUTICAL SETTLEMENT ACCOUNT

17 Sec. 40. 2011 Iowa Acts, chapter 129, section 145, is
18 amended to read as follows:

19 SEC. 145. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
20 appropriated from the pharmaceutical settlement account created
21 in section 249A.33 to the department of human services for the
22 fiscal year beginning July 1, 2012, and ending June 30, 2013,
23 the following amount, or so much thereof as is necessary, to be
24 used for the purpose designated:

25 Notwithstanding any provision of law to the contrary, to
26 supplement the appropriations made in this Act for medical
27 contracts under the medical assistance program for the fiscal
28 year beginning July 1, 2012, and ending June 30, 2013:

29 \$ 2,716,807

30 IOWACARE ACCOUNT APPROPRIATIONS — UNIVERSITY OF IOWA HOSPITALS
31 AND CLINICS

32 Sec. 41. 2011 Iowa Acts, chapter 129, section 146,
33 subsection 2, unnumbered paragraph 2, is amended to read as
34 follows:

35 For salaries, support, maintenance, equipment, and

1 miscellaneous purposes, for the provision of medical and
 2 surgical treatment of indigent patients, for provision of
 3 services to members of the expansion population pursuant to
 4 chapter 249J, and for medical education:

5 \$ ~~44,226,279~~
 6 45,654,133

7 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE TEACHING HOSPITAL

8 Sec. 42. 2011 Iowa Acts, chapter 129, section 146,
 9 subsection 4, unnumbered paragraph 2, is amended to read as
 10 follows:

11 For distribution to a publicly owned acute care teaching
 12 hospital located in a county with a population over 350,000 for
 13 the provision of medical and surgical treatment of indigent
 14 patients, for provision of services to members of the expansion
 15 population pursuant to chapter 249J, and for medical education:

16 \$ ~~65,000,000~~
 17 70,000,000

18 IOWACARE ACCOUNT — PUBLICLY OWNED ACUTE CARE HOSPITAL
 19 ALLOCATIONS

20 Sec. 43. 2011 Iowa Acts, chapter 129, section 146,
 21 subsection 4, paragraphs a and b, are amended to read as
 22 follows:

23 a. Notwithstanding any provision of law to the contrary,
 24 the amount appropriated in this subsection shall be distributed
 25 based on claims submitted, adjudicated, and paid by the Iowa
 26 Medicaid enterprise plus a monthly disproportionate share
 27 hospital payment. Any amount appropriated in this subsection
 28 in excess of ~~\$60,000,000~~ \$65,000,000 shall be distributed only
 29 if the sum of the expansion population claims adjudicated
 30 and paid by the Iowa Medicaid enterprise plus the estimated
 31 disproportionate share hospital payments exceeds ~~\$60,000,000~~
 32 \$65,000,000. The amount paid in excess of ~~\$60,000,000~~
 33 \$65,000,000 shall not adjust the original monthly payment
 34 amount but shall be distributed monthly based on actual claims
 35 adjudicated and paid by the Iowa Medicaid enterprise plus

1 the estimated disproportionate share hospital amount. Any
 2 amount appropriated in this subsection in excess of ~~\$60,000,000~~
 3 \$65,000,000 shall be allocated only if federal funds are
 4 available to match the amount allocated. Pursuant to paragraph
 5 "b", of the amount appropriated in this subsection, not more
 6 than \$4,000,000 shall be distributed for prescription drugs,
 7 and podiatry services, and optometric services.

8 b. Notwithstanding any provision of law to the contrary,
 9 the hospital identified in this subsection, shall be reimbursed
 10 for outpatient prescription drugs, and podiatry services,
 11 and optometric services provided to members of the expansion
 12 population pursuant to all applicable medical assistance
 13 program rules, in an amount not to exceed \$4,000,000.

14 IOWACARE ACCOUNT — REGIONAL PROVIDER NETWORK

15 Sec. 44. 2011 Iowa Acts, chapter 129, section 146,
 16 subsection 5, unnumbered paragraph 2, is amended to read as
 17 follows:

18 For payment to the regional provider network specified
 19 by the department pursuant to section 249J.7 for provision
 20 of covered services to members of the expansion population
 21 pursuant to chapter 249J:

22	\$	3,472,176
23		<u>4,986,366</u>

24 ACCOUNT FOR HEALTH CARE TRANSFORMATION

25 Sec. 45. 2011 Iowa Acts, chapter 129, section 148, is
 26 amended to read as follows:

27 SEC. 148. APPROPRIATIONS FROM ACCOUNT FOR HEALTH CARE
 28 TRANSFORMATION — DEPARTMENT OF HUMAN SERVICES.

29 Notwithstanding any provision to the contrary, there is
 30 appropriated from the account for health care transformation
 31 created in section 249J.23 to the department of human services
 32 for the fiscal year beginning July 1, 2012, and ending June
 33 30, 2013, the following amounts, or so much thereof as is
 34 necessary, to be used for the purposes designated:

35 1. For the provision of an IowaCare nurse helpline for the

1 expansion population as provided in section 249J.6:
2 \$ ~~50,000~~
3 100,000

4 2. For other health promotion partnership activities
5 pursuant to section 249J.14:
6 \$ ~~300,000~~
7 600,000

8 3. For the costs related to audits, performance
9 evaluations, and studies required pursuant to chapter 249J:
10 \$ ~~62,500~~
11 125,000

12 4. For administrative costs associated with chapter 249J:
13 \$ ~~566,206~~
14 1,132,412

15 5. For planning and development, in cooperation with the
16 department of public health, of a phased-in program to provide
17 a dental home for children in accordance with section 249J.14:
18 \$ ~~500,000~~
19 1,000,000

20 6. For continuation of the establishment of the tuition
21 assistance for individuals serving individuals with
22 disabilities pilot program, as enacted in 2008 Iowa Acts,
23 chapter 1187, section 130:
24 \$ ~~25,000~~
25 50,000

26 7. For medical contracts:
27 \$ ~~1,000,000~~
28 2,400,000

29 8. For payment to the publicly owned acute care teaching
30 hospital located in a county with a population of over 350,000
31 that is a participating provider pursuant to chapter 249J:
32 \$ ~~145,000~~
33 540,000

34 Disbursements under this subsection shall be made monthly.
35 The hospital shall submit a report following the close of the

1 fiscal year regarding use of the funds appropriated in this
 2 subsection to the persons specified in this Act to receive
 3 reports.

4 9. For transfer to the department of public health to be
 5 used for the costs of medical home system advisory council
 6 established pursuant to section 135.159:

7	\$	116,679
8		<u>233,357</u>

9 10. For continued implementation of a uniform cost report:
 10

11	\$	75,000
		<u>150,000</u>

12 11. For continued implementation of an electronic medical
 13 records system:
 14

15	\$	50,000
		<u>100,000</u>

16 Notwithstanding section 8.33, funds allocated in this
 17 subsection that remain unencumbered or unobligated at the close
 18 of the fiscal year shall not revert but shall remain available
 19 in succeeding fiscal years to be used for the purposes
 20 designated.

21 12. For transfer to the department of public health to
 22 support the department's activities relating to health and
 23 long-term care access as specified pursuant to chapter 135,
 24 division XXIV:

25	\$	67,107
26		<u>134,214</u>

27 13. For continuation of an accountable care organization
 28 pilot project:

29	\$	50,000
30		<u>100,000</u>

31 14. For the continued development of a provider payment
 32 system plan to provide recommendations to reform the health
 33 care provider payment system as an effective way to promote
 34 coordination of care, lower costs, and improve quality:

35	\$	<u>100,000</u>
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1 15. For transfer to the department of public health to
 2 be used as state matching funds for the health information
 3 technology ~~system~~ network developed by the department of public
 4 health:

5 \$ ~~181,993~~
 6 363,987

7 16. To supplement the appropriation for medical assistance:
 8 \$ ~~1,956,245~~ 4,106,245

9 Notwithstanding section 8.39, subsection 1, without the
 10 prior written consent and approval of the governor and the
 11 director of the department of management, the director of human
 12 services may transfer funds among the appropriations made in
 13 this section as necessary to carry out the purposes of the
 14 account for health care transformation. The department shall
 15 report any transfers made pursuant to this section to the
 16 legislative services agency.

17 MEDICAID FRAUD FUND

18 Sec. 46. 2011 Iowa Acts, chapter 129, section 150, is
 19 amended to read as follows:

20 SEC. 150. MEDICAID FRAUD ~~ACCOUNT~~ FUND — DEPARTMENT OF
 21 HUMAN SERVICES. There is appropriated from the Medicaid fraud
 22 ~~account~~ fund created in section 249A.7 to the department of
 23 human services for the fiscal year beginning July 1, 2012, and
 24 ending June 30, 2013, the following amount, or so much thereof
 25 as is necessary, to be used for the purposes designated:

26 To supplement the appropriation made in this Act from the
 27 general fund of the state to the department of human services
 28 for medical assistance for the fiscal year beginning July 1,
 29 2012, and ending June 30, 2013:

30 \$ 2,000,000

31 QUALITY ASSURANCE TRUST FUND

32 Sec. 47. 2011 Iowa Acts, chapter 129, section 151, is
 33 amended to read as follows:

34 SEC. 151. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
 35 HUMAN SERVICES. Notwithstanding any provision to the contrary

1 and subject to the availability of funds, there is appropriated
 2 from the quality assurance trust fund created in section
 3 249L.4 to the department of human services for the fiscal year
 4 beginning July 1, 2012, and ending June 30, 2013, the following
 5 amounts, or so much thereof as is necessary for the purposes
 6 designated:

7 To supplement the appropriation made in this Act from the
 8 general fund of the state to the department of human services
 9 for medical assistance:

10 \$ ~~29,000,000~~
 11 26,500,000

12 HOSPITAL HEALTH CARE ACCESS TRUST FUND

13 Sec. 48. 2011 Iowa Acts, chapter 129, section 152, is
 14 amended to read as follows:

15 SEC. 152. HOSPITAL HEALTH CARE ACCESS TRUST FUND —
 16 DEPARTMENT OF HUMAN SERVICES. Notwithstanding any provision to
 17 the contrary and subject to the availability of funds, there is
 18 appropriated from the hospital health care access trust fund
 19 created in section 249M.4 to the department of human services
 20 for the fiscal year beginning July 1, 2012, and ending June
 21 30, 2013, the following amounts, or so much thereof as is
 22 necessary, for the purposes designated:

23 1. To supplement the appropriation made in this Act from the
 24 general fund of the state to the department of human services
 25 for medical assistance:

26 \$ ~~39,223,800~~
 27 33,898,400

28 2. For deposit in the nonparticipating provider
 29 reimbursement fund created in section 249J.24A to be used for
 30 the purposes of the fund:

31 \$ ~~776,200~~
 32 801,600

33 MISCELLANEOUS PROVISIONS

34 Sec. 49. REPEAL. 2011 Iowa Acts, chapter 129, section 149,
 35 is repealed.

1 DIVISION VI
2 CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD ENROLLMENT
3 CONTINGENCY FUND

4 Sec. 50. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD
5 ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS —
6 FY 2011-2012.

7 1. Moneys received from the federal government through
8 the child enrollment contingency fund established pursuant
9 to section 103 of the federal Children's Health Insurance
10 Program Reauthorization Act of 2009, Pub. L. No. 111-3, are
11 appropriated to the department of human services for the fiscal
12 year beginning July 1, 2011, and ending June 30, 2012, to be
13 used in addition to any other amounts appropriated for the same
14 purposes for the fiscal year as follows:

15 a. For adoption subsidy payments and services:
16 \$ 2,177,355
17 b. For child care programs:
18 \$ 1,212,432
19 c. For transfer to the department of public health to be
20 used for tobacco use prevention, cessation, and treatment
21 through support of Quitline Iowa:
22 \$ 350,000

23 2. Notwithstanding section 8.39, and to the extent
24 that funds appropriated in this section are unexpended or
25 unobligated for the purposes specified in subsection 1, the
26 department of human services may transfer funds within or
27 between any of the appropriations made in this section for the
28 following purposes:

29 a. For adoption subsidy payments and services.
30 b. For child care assistance.

31 Sec. 51. CHILDREN'S HEALTH INSURANCE PROGRAM — CHILD
32 ENROLLMENT CONTINGENCY FUND — DIRECTIVES FOR USE OF FUNDS —
33 FY 2012-2013.

34 1. a. Moneys received from the federal government through
35 the child enrollment contingency fund established pursuant

1 to section 103 of the federal Children's Health Insurance
 2 Program Reauthorization Act of 2009, Pub. L. No. 111-3, are
 3 appropriated to the department of human services for the fiscal
 4 year beginning July 1, 2012, and ending June 30, 2013, to be
 5 used in addition to any other amounts appropriated for the same
 6 purposes for the fiscal year as follows:

7 (1) For adoption subsidy payments and services:

8 \$ 5,290,441

9 (2) For child care programs:

10 \$ 7,969,021

11 (3) For mental health and disability services redesign
 12 technical assistance services:

13 \$ 500,000

14 (4) For the field operations integrity claims unit:

15 \$ 961,100

16 (5) For medical assistance program reimbursement and
 17 associated costs:

18 \$ 4,950,428

19 (6) For lodging expenses associated with patient care
 20 provided at the university of Iowa hospital and clinics under
 21 chapter 249J:

22 \$ 200,000

23 The department of human services shall establish the maximum
 24 number of overnight stays and the maximum rate reimbursed for
 25 overnight lodging, which may be based on the state employee
 26 rate established by the department of administrative services.
 27 The funds allocated under this subparagraph shall not be used
 28 as nonfederal share matching funds.

29 (7) For ambulance services associated with patient care
 30 provided under chapter 249J:

31 \$ 200,000

32 The department of human services shall establish
 33 requirements for use of funds in this subparagraph for
 34 ambulance services when no other third-party payment is
 35 available. The funds allocated in this subparagraph shall not

1 be used as nonfederal share matching funds.

2 (8) For the public purpose of distribution to a statewide
3 nonprofit organization consisting of low-income housing and
4 homelessness service providers, advocates, local governments,
5 lending institutions, and low-income and homeless individuals
6 to be used to empower low-income individuals and to increase
7 their access to affordable housing:

8 \$ 100,000

9 b. Notwithstanding section 8.39, and to the extent that
10 funds appropriated in this subsection are unexpended or
11 unobligated for the purposes specified in paragraph "a",
12 subparagraphs (1) and (2), for the fiscal year beginning July
13 1, 2012, the department of human services may transfer funds
14 within or between any of the appropriations made in this
15 subsection for the following purposes:

16 (1) For adoption subsidy payments and services.

17 (2) For child care assistance.

18 2. Moneys received from the federal government through
19 the child enrollment contingency fund established pursuant
20 to section 103 of the federal Children's Health Insurance
21 Program Reauthorization Act of 2009, Pub. L. No. 111-3, are
22 appropriated to the department of human services for the fiscal
23 year beginning July 1, 2012, and ending June 30, 2013, to be
24 used for audit settlements:

25 \$ 2,405,936

26 Notwithstanding section 8.33, moneys appropriated in this
27 subsection that remain unencumbered or unobligated at the close
28 of the fiscal year shall not revert to any other fund but shall
29 remain available for expenditure for the purposes designated
30 until the close of the succeeding fiscal year.

31 Sec. 52. EFFECTIVE DATE PROVISIONS. The section of this
32 division of this Act appropriating moneys received through the
33 federal Child Enrollment Contingency Fund for the fiscal year
34 beginning July 1, 2011, and ending June 30, 2012, being deemed
35 of immediate importance, take effect upon enactment.

1 Sec. 53. RETROACTIVE APPLICABILITY. The section of this
2 division of this Act appropriating moneys received through
3 the federal Child Enrollment Contingency Fund for the fiscal
4 year beginning July 1, 2011, and ending June 30, 2012, applies
5 retroactively to July 1, 2011.

6 DIVISION VII

7 MENTAL HEALTH AND DISABILITY SERVICES MEDICAL ASSISTANCE
8 PROGRAM ADDITIONAL FUNDING

9 Sec. 54. RISK POOL APPROPRIATION FOR MEDICAL ASSISTANCE
10 PROGRAM. All moneys remaining in the risk pool of the property
11 tax relief fund on June 30, 2012, following the distributions
12 made pursuant to 2012 Iowa Acts, Senate File 2071, are
13 appropriated to the department of human services for the fiscal
14 year beginning July 1, 2012, and ending June 30, 2013, to be
15 used for the purpose designated:

16 To be credited to the appropriation made for the medical
17 assistance program in 2011 Iowa Acts, chapter 129, section 122.

18 Sec. 55. MENTAL HEALTH AND DISABILITY SERVICES REDESIGN.
19 There is appropriated from the general fund of the state to
20 the department of human services for the fiscal year beginning
21 July 1, 2012, and ending June 30, 2013, the following amount,
22 or so much thereof as is necessary, to be used for the purposes
23 designated:

24 For the medical assistance program appropriation for the
25 fiscal year for the expense of replacing the enhanced match
26 rate provided through the federal American Recovery and
27 Reinvestment Act of 2009 and for the reduction in the federal
28 medical assistance percentage associated with the mental health
29 and disabilities services for which the match has been paid by
30 counties:

31 \$ 24,893,762

32 DIVISION VIII

33 PRIOR APPROPRIATIONS AND RELATED CHANGES
34 INJURED VETERANS GRANT PROGRAM

35 Sec. 56. 2008 Iowa Acts, chapter 1187, section 69,

1 unnumbered paragraph 1, as amended by 2009 Iowa Acts, chapter
2 182, section 83, 2010 Iowa Acts, chapter 1192, section 56, and
3 2011 Iowa Acts, chapter 129, section 53, is amended to read as
4 follows:

5 Notwithstanding section 8.33, moneys appropriated in this
6 subsection that remain unencumbered or unobligated at the close
7 of the fiscal year shall not revert but shall remain available
8 for expenditure for the purposes designated until the close of
9 the fiscal year beginning July 1, ~~2011~~ 2012.

10 CHILD WELFARE DECATORIZATION

11 FY 2009-2010 NONREVERSION

12 Sec. 57. 2009 Iowa Acts, chapter 182, section 14, subsection
13 5, unnumbered paragraph 2, as enacted by 2011 Iowa Acts,
14 chapter 129, section 55, is amended to read as follows:

15 Notwithstanding section 232.188, subsection 5, moneys from
16 the allocations made in this subsection or made from any other
17 source for the decategorization of child welfare and juvenile
18 justice funding initiative under section 232.188 for the fiscal
19 year beginning July 1, 2009, that are designated as carryover
20 funding that remain unencumbered or unobligated at the close
21 of the fiscal year beginning July 1, 2010, shall not revert
22 but shall be transferred ~~to~~ in equal amounts to the community
23 housing and services for persons with disabilities revolving
24 loan program fund created in section 16.185, as enacted by
25 this division of this 2011 Act and to the supportive and
26 residential services for individuals who meet the psychiatric
27 medical institution for children level of care competitive
28 grant program fund created in section 16.185A, as enacted by
29 this 2012 Act.

30 IOWA VETERANS HOME

31 Sec. 58. 2011 Iowa Acts, chapter 129, section 3, subsection
32 2, is amended by adding the following new paragraph:

33 NEW PARAGRAPH. d. The funds appropriated in this subsection
34 to the Iowa veterans home that remain available for expenditure
35 for the succeeding fiscal year pursuant to section 35D.18,

1 subsection 5, shall be distributed to be used in the succeeding
2 fiscal year in accordance with this lettered paragraph. The
3 first \$500,000 shall remain available to be used for the
4 purposes of the Iowa veterans home. Any remaining balance
5 shall be credited to the appropriation in this Act for the
6 fiscal year beginning July 1, 2012, for medical assistance.

7 FAMILY INVESTMENT PROGRAM — GENERAL FUND

8 Sec. 59. 2011 Iowa Acts, chapter 129, section 7, is amended
9 by adding the following new subsection:

10 NEW SUBSECTION. 5. Notwithstanding section 8.33, moneys
11 appropriated in this section that remain unencumbered or
12 unobligated at the close of the fiscal year shall not revert
13 but shall remain available for expenditure for the purposes
14 designated until the close of the succeeding fiscal year.

15 MEDICAL ASSISTANCE

16 Sec. 60. 2011 Iowa Acts, chapter 129, section 10, subsection
17 20, paragraph d, is amended to read as follows:

18 d. If the savings to the medical assistance program exceed
19 the cost, the department may transfer any savings generated
20 for the fiscal year due to medical assistance program cost
21 containment efforts initiated pursuant to 2010 Iowa Acts,
22 chapter 1031, Executive Order No. 20, issued December 16,
23 2009, or cost containment strategies initiated pursuant
24 to this subsection, to the ~~appropriation~~ appropriations
25 made in this division of this Act for medical contracts or
26 general administration to defray the increased contract costs
27 associated with implementing such efforts.

28 BEHAVIORAL HEALTH SERVICES ACCOUNT — MEDICAL ASSISTANCE

29 Sec. 61. 2011 Iowa Acts, chapter 129, section 10, is amended
30 by adding the following new subsection:

31 NEW SUBSECTION. 26. Notwithstanding 2009 Iowa Acts,
32 chapter 182, section 9, subsection 16, paragraph "b", as
33 amended by 2010 Iowa Acts, chapter 1192, section 63, as amended
34 by 2011 Iowa Acts, chapter 129, section 54, funds in the
35 account that remain unencumbered or unobligated at the end of

1 the fiscal year beginning July 1, 2011, are appropriated to
2 the department of human services to be used for the medical
3 assistance program for the succeeding fiscal year.

4 STATE SUPPLEMENTARY ASSISTANCE

5 Sec. 62. 2011 Iowa Acts, chapter 129, section 11, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 4. Notwithstanding section 8.33, moneys
8 appropriated in this section that remain unencumbered or
9 unobligated at the close of the fiscal year shall not revert
10 but shall remain available for expenditure for the purposes
11 designated until the close of the succeeding fiscal year.

12 FIELD OPERATIONS

13 Sec. 63. 2011 Iowa Acts, chapter 129, section 25, is amended
14 by adding the following new unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
16 moneys appropriated in this section that remain unencumbered or
17 unobligated at the close of the fiscal year shall not revert
18 but shall remain available for expenditure for the purposes
19 designated until the close of the succeeding fiscal year.

20 GENERAL ADMINISTRATION

21 Sec. 64. 2011 Iowa Acts, chapter 129, section 26, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 6. Notwithstanding section 8.33, moneys
24 appropriated in this section that remain unencumbered or
25 unobligated at the close of the fiscal year shall not revert
26 but shall remain available for expenditure for the purposes
27 designated until the close of the succeeding fiscal year.

28 IOWACARE DISTRIBUTIONS

29 Sec. 65. 2011 Iowa Acts, chapter 129, section 35, subsection
30 4, paragraph a, is amended to read as follows:

31 a. Notwithstanding any provision of law to the contrary,
32 the amount appropriated in this subsection shall be distributed
33 based on claims submitted, adjudicated, and paid by the Iowa
34 Medicaid enterprise plus a monthly disproportionate share
35 hospital payment. Any amount appropriated in this subsection

1 in excess of ~~\$60,000,000~~ \$56,500,000 shall be distributed only
 2 if the sum of the expansion population claims adjudicated
 3 and paid by the Iowa Medicaid enterprise plus the estimated
 4 disproportionate share hospital payments exceeds ~~\$60,000,000~~
 5 \$56,500,000. The amount paid in excess of ~~\$60,000,000~~
 6 \$56,500,000 shall not adjust the original monthly payment
 7 amount but shall be distributed monthly based on actual claims
 8 adjudicated and paid by the Iowa Medicaid enterprise plus
 9 the estimated disproportionate share hospital amount. Any
 10 amount appropriated in this subsection in excess of ~~\$60,000,000~~
 11 \$56,500,000 shall be allocated only if federal funds are
 12 available to match the amount allocated. Pursuant to paragraph
 13 "b", of the amount appropriated in this subsection, not more
 14 than \$4,000,000 shall be distributed for prescription drugs and
 15 podiatry services.

16 Sec. 66. 2011 Iowa Acts, chapter 129, section 35, subsection
 17 4, paragraph d, subparagraph (2), is amended to read as
 18 follows:

19 (2) Notwithstanding the amount collected and distributed
 20 for deposit in the IowaCare account pursuant to section
 21 249J.24, subsection 4, paragraph "a", subparagraph (2),
 22 the first \$19,000,000 in collections pursuant to section
 23 347.7 between January 1, 2012, and June 30, 2012, shall be
 24 distributed to the treasurer of state for deposit in the
 25 IowaCare account and collections during this time period in
 26 excess of \$19,000,000 shall be distributed to the acute care
 27 teaching hospital identified in this subsection. ~~Of the~~
 28 ~~collections in excess of the \$19,000,000 received by the acute~~
 29 ~~care teaching hospital under this subparagraph (2), \$2,000,000~~
 30 ~~shall be distributed by the acute care teaching hospital to the~~
 31 ~~treasurer of state for deposit in the IowaCare account in the~~
 32 ~~month of July 2012, following the January 1 through June 30,~~
 33 ~~2012, period.~~

34 Sec. 67. IMMEDIATE EFFECTIVE DATE. This division of this
 35 Act, being deemed of immediate importance, takes effect upon

1 enactment.

2 Sec. 68. RETROACTIVE APPLICABILITY. The following sections
3 of this division of this Act apply retroactively to July 1,
4 2011:

5 1. The section relating to the transfer of funds from costs
6 savings under the medical assistance program to appropriations
7 for medical contracts or general administration for the fiscal
8 year beginning July 1, 2011, and ending June 30, 2012.

9 2. The section relating to the nonreversion of
10 decategorization of child welfare and juvenile justice funds.

11 3. The section relating to the distribution of IowaCare
12 program funds.

13 DIVISION IX

14 MISCELLANEOUS

15 Sec. 69. NEW SECTION. **8A.441 Medication therapy management.**

16 1. As used in this section, unless the context otherwise
17 requires:

18 *a. "Eligible employee"* means an employee of the state, with
19 the exception of an employee of the state board of regents or
20 institutions under the state board of regents, for whom group
21 health plans are established pursuant to chapter 509A providing
22 for third-party payment or prepayment for health or medical
23 expenses.

24 *b. "Medication therapy management"* means a systematic
25 process performed by a licensed pharmacist, designed to improve
26 quality outcomes for patients and lower health care costs,
27 including emergency room, hospital, provider, and other costs,
28 by optimizing appropriate medication use linked directly to
29 achievement of the clinical goals of therapy. Medication
30 therapy management shall include all of the following services:

31 (1) A medication therapy review and in-person consultation
32 relating to all medications, vitamins, and herbal supplements
33 currently being taken by an eligible individual.

34 (2) A medication action plan, subject to the limitations
35 specified in this section, communicated to the individual and

1 the individual's primary care physician or other appropriate
2 prescriber to address issues including appropriateness,
3 effectiveness, safety, drug interactions, and adherence. The
4 medication action plan may include drug therapy recommendations
5 to prescribers that are needed to meet clinical goals and
6 achieve optimal patient outcomes.

7 (3) Documentation and follow-up to ensure consistent levels
8 of pharmacy services and positive outcomes.

9 2. a. The department shall utilize a request for proposals
10 process and shall enter into a contract for the provision of
11 medication therapy management services for eligible employees
12 who meet any of the following criteria:

13 (1) An individual who takes four or more prescription drugs
14 to treat or prevent two or more chronic medical conditions.

15 (2) An individual with a prescription drug therapy problem
16 who is identified by the prescribing physician or other
17 appropriate prescriber, and referred to a pharmacist for
18 medication therapy management services.

19 (3) An individual who meets other criteria established by
20 the third-party payment provider contract, policy, or plan.

21 b. The contract shall require the entity to provide annual
22 reports to the general assembly detailing the costs, savings,
23 estimated cost avoidance and return on investment, and improved
24 patient outcomes related to the medication therapy management
25 services provided. The entity shall guarantee demonstrated
26 annual savings for overall health care costs, including
27 emergency room, hospital, provider, and other costs, with
28 savings including associated cost avoidance, at least equal
29 to the program's costs with any shortfall amount refunded to
30 the state. The contract shall include terms, conditions,
31 and applicable measurement standards associated with the
32 demonstration of savings. The department shall verify the
33 demonstrated savings reported by the entity were achieved in
34 accordance with the agreed upon measurement standards. The
35 entity shall be prohibited from using the entity's employees to

1 provide the medication therapy management services and shall
2 instead be required to contract with licensed pharmacies,
3 pharmacists, or physicians.

4 *c.* The department may establish an advisory committee
5 comprised of an equal number of physicians and pharmacists
6 to provide advice and oversight in evaluating the results of
7 the program. The department shall appoint the members of the
8 advisory committee based upon designees of the Iowa pharmacy
9 association, the Iowa medical society, and the Iowa osteopathic
10 medical association.

11 *d.* The fees for pharmacist-delivered medication therapy
12 management services shall be separate from the reimbursement
13 for prescription drug product or dispensing services; shall
14 be determined by each third-party payment provider contract,
15 policy, or plan; and must be reasonable based on the resources
16 and time required to provide the service.

17 *e.* A fee shall be established for physician reimbursement
18 for services delivered for medication therapy management as
19 determined by each third-party payment provider contract,
20 policy, or plan, and must be reasonable based on the resources
21 and time required to provide the service.

22 *f.* If any part of the medication therapy management
23 plan developed by a pharmacist incorporates services which
24 are outside the pharmacist's independent scope of practice
25 including the initiation of therapy, modification of dosages,
26 therapeutic interchange, or changes in drug therapy, the
27 express authorization of the individual's physician or other
28 appropriate prescriber is required.

29 Sec. 70. NEW SECTION. 16.185A Supportive and residential
30 services for individuals who meet the psychiatric medical
31 institution for children level of care — competitive grant
32 program fund.

33 1. A supportive and residential services competitive
34 grant program fund is created within the authority to further
35 the availability of supportive and residential services for

1 individuals who meet the psychiatric medical institution for
2 children level of care under the medical assistance program.
3 The moneys in the fund are appropriated to the authority to be
4 used for the development and operation of a competitive grant
5 program to provide financing to construct supportive housing
6 or develop the infrastructure in which to provide supportive
7 services, including through new construction, acquisition
8 and rehabilitation of existing housing or infrastructure, or
9 conversion or adaptive reuse.

10 2. Moneys transferred by the authority for deposit in the
11 competitive grant program fund, moneys appropriated to the
12 competitive grant program, and any other moneys available to
13 and obtained or accepted by the authority for placement in the
14 fund shall be credited to the fund. Additionally, payment of
15 interest, recaptures of awards, and other repayments to the
16 fund shall be credited to the fund. Notwithstanding section
17 12C.7, subsection 2, interest or earnings on moneys in the fund
18 shall be credited to the fund. Notwithstanding section 8.33,
19 moneys credited to the fund from any other fund that remain
20 unencumbered or unobligated at the close of the fiscal year
21 shall not revert to the other fund.

22 3. The authority shall allocate moneys in the fund to the
23 extent available for the development of supportive housing or
24 the infrastructure in which to provide supportive services for
25 individuals who meet the psychiatric medical institution for
26 children level of care under the medical assistance program.
27 Moneys allocated to such projects shall be in the form of
28 competitive grants. An application submitted shall contain a
29 commitment of at least a dollar-for-dollar match of the grant
30 assistance.

31 4. a. A project shall demonstrate written approval of the
32 project by the department of human services to the authority
33 prior to application for funding under this section.

34 b. In order to be approved by the department of human
35 services for application for funding under this section, a

1 project shall include all of the following components:

2 (1) Provision of services to individuals who meet the
3 psychiatric medical institution for children level of care
4 under the medical assistance program.

5 (2) Policies and procedures that prohibit discharge of the
6 individual from the services provided by the project provider
7 unless an alternative placement that is acceptable to the
8 client or the client's guardian is identified.

9 5. Housing provided through a project under this section is
10 exempt from the requirements of chapter 1350.

11 6. The authority, in collaboration with the department of
12 human services, shall adopt rules pursuant to chapter 17A to
13 administer this section.

14 Sec. 71. Section 97B.39, Code 2011, is amended to read as
15 follows:

16 **97B.39 Rights not transferable or subject to legal process**
17 **— exceptions.**

18 The right of any person to any future payment under this
19 chapter is not transferable or assignable, at law or in
20 equity, and the moneys paid or payable or rights existing
21 under this chapter are not subject to execution, levy,
22 attachment, garnishment, or other legal process, or to the
23 operation of any bankruptcy or insolvency law except for the
24 purposes of enforcing child, spousal, or medical support
25 obligations or marital property orders, or for recovery of
26 medical assistance payments pursuant to section 249A.5. For
27 the purposes of enforcing child, spousal, or medical support
28 obligations, the garnishment or attachment of or the execution
29 against compensation due a person under this chapter shall
30 not exceed the amount specified in 15 U.S.C. § 1673(b).

31 The system shall comply with the provisions of a marital
32 property order requiring the selection of a particular benefit
33 option, designated beneficiary, or contingent annuitant if
34 the selection is otherwise authorized by this chapter and
35 the member has not received payment of the member's first

1 retirement allowance. However, a marital property order shall
2 not require the payment of benefits to an alternative payee
3 prior to the member's retirement, prior to the date the member
4 elects to receive a lump sum distribution of accumulated
5 contributions pursuant to section 97B.53, or in an amount that
6 exceeds the benefits the member would otherwise be eligible to
7 receive pursuant to this chapter.

8 Sec. 72. Section 135.11, Code Supplement 2011, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 31. Administer a public awareness program
11 for human papillomavirus infection vaccination by identifying
12 medically accurate materials that contain information regarding
13 the risks associated with the various forms of the infection
14 in causing cervical cancer, and any other diseases for which
15 the department may recommend immunization or immunization
16 information, and the availability, effectiveness, and potential
17 risks of those vaccines. The department shall make the
18 identified materials available on the department's internet
19 site, provide education and training to health professionals
20 and the general public regarding the vaccines, and notify
21 each school district in the state of the availability of the
22 information. For the purposes of this subsection, "*human*
23 *papillomavirus*" means the group of viruses identified by the
24 centers for disease control and prevention of the United States
25 department of health and human services.

26 Sec. 73. Section 135H.10, subsection 3, Code 2011, is
27 amended by striking the subsection.

28 Sec. 74. Section 144D.4, as enacted by 2012 Iowa Acts, House
29 File 2165, section 5, is amended by adding the following new
30 subsection:

31 NEW SUBSECTION. 10. A POST form executed between July 1,
32 2008, and June 30, 2012, as part of the patient autonomy in
33 health care decisions pilot project created pursuant to 2008
34 Iowa Acts, chapter 1188, section 36, as amended by 2010 Iowa
35 Acts, chapter 1192, section 58, shall remain effective until

1 revoked or until a new POST form is executed pursuant to this
2 chapter.

3 Sec. 75. Section 225B.8, Code Supplement 2011, is amended
4 to read as follows:

5 **225B.8 Repeal.**

6 This chapter is repealed July 1, ~~2012~~ 2017.

7 Sec. 76. NEW SECTION. **231.45 Certified volunteer long-term**
8 **care resident's advocate program.**

9 1. The department shall establish a certified volunteer
10 long-term care resident's advocate program in accordance with
11 the federal Act to provide assistance to the state and local
12 long-term care resident's advocates.

13 2. The department shall develop and implement a
14 certification process for volunteer long-term care resident's
15 advocates including but not limited to an application process,
16 provision for background checks, classroom or on-site training,
17 orientation, and continuing education.

18 3. The provisions of section 231.42 relating to local
19 long-term care resident's advocates shall apply to certified
20 volunteer long-term care resident's advocates.

21 4. The department shall adopt rules pursuant to chapter 17A
22 to administer this section.

23 Sec. 77. Section 237.3, Code 2011, is amended by adding the
24 following new subsection:

25 NEW SUBSECTION. 11. The department shall adopt rules to
26 administer a certified foster care respite provider program
27 to provide respite in a licensed foster home. The certified
28 respite provider program shall provide care, supervision,
29 or guidance of a foster child when the child is placed with
30 a licensed foster home. The certified foster care respite
31 provider shall be responsible to have liability insurance to
32 provide for any loss or damage arising out of occurrences
33 during the provision of certified foster care respite provider
34 care.

35 Sec. 78. Section 237.13, subsection 4, Code 2011, is amended

1 by adding the following new paragraph:

2 NEW PARAGRAPH. *h.* Any loss or damage arising out of
3 occurrences during the provision of certified foster care
4 respite provider care pursuant to section 237.3, subsection 11.
5 Sec. 79. NEW SECTION. **239B.2C Absence from home —**
6 **incarceration.**

7 An individual family member who is absent from the home for
8 more than three months because the individual is incarcerated
9 in jail or a correctional facility shall not be included in the
10 family unit for purposes of assistance.

11 Sec. 80. NEW SECTION. **249A.17 Reimbursement for providers**
12 **of outpatient clinical services for children.**

13 1. Providers that meet the criteria specified in subsection
14 2, shall receive cost-based reimbursement for one hundred
15 percent of the reasonable costs, as determined by Medicare
16 reimbursement principles, for provision of outpatient clinical
17 services for children who are recipients of medical assistance.

18 2. In order to be eligible for reimbursement under this
19 section, a provider shall be an accredited, nonprofit agency
20 that meets all of the following criteria:

21 *a.* Provides clinical outpatient services to children of whom
22 at least sixty percent are recipients of medical assistance.

23 *b.* Provides at least three children's mental health services
24 including inpatient services, outpatient services, psychiatric
25 and psychological services, and behavioral health intervention
26 services.

27 *c.* Directly employs a psychiatrist, psychologist, and
28 licensed therapist.

29 Sec. 81. Section 453A.35, Code Supplement 2011, is amended
30 to read as follows:

31 **453A.35 Tax and fees paid to ~~general fund — standing~~**
32 **~~appropriation to health care trust fund.~~**

33 1. ~~*a.* With the exception of revenues credited to the health~~
34 ~~care trust fund pursuant to paragraph "b", the~~ The proceeds
35 derived from the sale of stamps and the payment of taxes, fees,

1 and penalties provided for under this chapter, and the permit
 2 fees received from all permits issued by the department, shall
 3 be credited to the ~~general fund of the state.~~

4 ~~b. Of the revenues generated from the tax on cigarettes~~
 5 ~~pursuant to section 453A.6, subsection 1, and from the tax on~~
 6 ~~tobacco products as specified in section 453A.43, subsections~~
 7 ~~1, 2, 3, and 4, the first one hundred six million sixteen~~
 8 ~~thousand four hundred dollars shall be credited to the health~~
 9 ~~care trust fund created in section 453A.35A.~~

10 2. All permit fees provided for in this chapter and
 11 collected by cities in the issuance of permits granted by the
 12 cities shall be paid to the treasurer of the city where the
 13 permit is effective, or to another city officer as designated
 14 by the council, and credited to the general fund of the city.
 15 Permit fees so collected by counties shall be paid to the
 16 county treasurer.

17 Sec. 82. Section 453A.35A, subsection 1, Code Supplement
 18 2011, is amended to read as follows:

19 1. A health care trust fund is created in the office of
 20 the treasurer of state. The fund consists of the revenues
 21 ~~generated from the tax on cigarettes pursuant to section~~
 22 ~~453A.6, subsection 1, and from the tax on tobacco products~~
 23 ~~as specified in section 453A.43, subsections 1, 2, 3, and 4,~~
 24 ~~that are credited to the health care trust fund, annually,~~
 25 ~~pursuant to section 453A.35~~ derived from the sale of stamps
 26 and the payment of taxes, fees, and penalties provided for
 27 under this chapter, and the permit fees received from all
 28 permits issued by the department. Moneys in the fund shall be
 29 separate from the general fund of the state and shall not be
 30 considered part of the general fund of the state. However, the
 31 fund shall be considered a special account for the purposes
 32 of section 8.53 relating to generally accepted accounting
 33 principles. Moneys in the fund shall be used only as specified
 34 in this section and shall be appropriated only for the uses
 35 specified. Moneys in the fund are not subject to section 8.33

1 and shall not be transferred, used, obligated, appropriated,
2 or otherwise encumbered, except as provided in this section.
3 Notwithstanding section 12C.7, subsection 2, interest or
4 earnings on moneys deposited in the fund shall be credited to
5 the fund.

6 Sec. 83. COST-BASED REIMBURSEMENT — PROVIDERS OF
7 CHILDREN'S OUTPATIENT CLINICAL SERVICES.

8 1. The department of human services shall seek federal
9 approval to amend the medical assistance program state plan
10 and shall amend the contract with the department's managed
11 care contractor for behavioral health services under the
12 medical assistance program to provide medical assistance
13 reimbursement to providers that meet the criteria specified in
14 section 249A.17, as enacted in this division of this Act, at
15 100 percent of the reasonable costs for recipients of medical
16 assistance for outpatient clinical services for children.

17 2. Implementation of section 249A.17, as enacted in this
18 division of this Act, is contingent upon receipt of federal
19 approval and limited to the funding made available through
20 amending the contract with the managed care contractor.

21 3. The department shall adopt rules pursuant to chapter
22 17A to provide reimbursement for outpatient clinical services
23 for children as described in this section. The rules shall
24 provide that reimbursement shall initially be paid on an
25 interim basis and subsequently adjusted retroactively based on
26 submission of financial and statistical reports as required by
27 the department.

28 Sec. 84. EFFECTIVE UPON ENACTMENT. The section of this
29 division of this Act enacting section 8A.441, being deemed of
30 immediate importance, takes effect upon enactment.

31 DIVISION X

32 DIRECT CARE PROFESSIONALS

33 Sec. 85. NEW SECTION. 152F.1 Definitions.

34 As used in this chapter, unless the context otherwise
35 requires:

- 1 1. *"Board"* means the board of direct care professionals
2 created under chapter 147.
- 3 2. *"Community living professional"* means a direct care
4 associate who has completed advanced training and is certified
5 to provide home and community living, instrumental activities
6 of daily living, and personal support services.
- 7 3. *"Direct care associate"* means an individual who has
8 completed core training and is certified to provide direct care
9 services in the state.
- 10 4. *"Direct care instructor"* means an individual approved
11 by the board to provide direct care instruction to direct care
12 professionals.
- 13 5. *"Direct care professional"* means an individual who
14 provides direct care services for compensation and is a direct
15 care associate, a community living professional, a health
16 support professional, or a personal support professional.
- 17 6. *"Direct care services"* means the services provided to
18 individuals who are ill or individuals with disabilities as
19 specified in the individual's service plan or in documented
20 goals, including but not limited to home and community living
21 services, instrumental activities of daily living services,
22 personal activities of daily living services, personal support
23 services, and health monitoring and maintenance services.
- 24 7. *"Direct care trainer"* means a direct care instructor who
25 is approved by the board to train instructors.
- 26 8. *"Health monitoring and maintenance services"* means
27 medically-oriented services that assist an individual in
28 maintaining the individual's health including measuring intake
29 and output; providing catheter and ostomy care; collecting
30 specimens; checking vital signs, including temperature, pulse,
31 respiration, and blood pressure; measuring height and weight;
32 performing range of motion exercises; providing assistance with
33 urinary care; and application of thrombo embolic deterrent hose
34 or hot and cold packs.
- 35 9. *"Health support professional"* means a direct care

1 associate who has completed advanced training and is certified
2 to provide personal activities of daily living and health
3 monitoring and maintenance services or a direct care associate
4 who has met the federal nurse aide requirements pursuant to 42
5 C.F.R. § 483.152.

6 10. "*Home and community living services*" means services to
7 enhance or maintain independence of individuals including such
8 activities as helping individuals develop and meet personal
9 goals, providing direct physical and emotional support and
10 assistance for persons with disabilities, utilizing crisis
11 intervention and positive behavior supports, and using and
12 following individual support plans.

13 11. "*Instrumental activities of daily living services*" means
14 services provided to assist individuals with daily living tasks
15 to allow them to function independently in a home or community
16 setting, including but not limited to assistance with managing
17 money, transportation, light housekeeping, and shopping and
18 cooking.

19 12. "*Personal activities of daily living services*" means
20 services to assist individuals in meeting basic needs,
21 including but not limited to bathing, back rubs, and skin care;
22 grooming activities; assistance with dressing and undressing;
23 assistance with eating and feeding; assistance with toileting;
24 and assistance with mobility, including transfers, walking, and
25 turning in bed.

26 13. "*Personal support professional*" means a direct care
27 associate who has completed advanced training and is certified
28 to provide instrumental activities of daily living, personal
29 activities of daily living, and personal support services.

30 14. "*Personal support services*" means support services
31 provided to an individual as the individual performs personal
32 activities of daily living including but not limited to
33 coaching and prompting, and teaching skills and behaviors.

34 15. "*Service plan*" means a written, consumer-centered,
35 outcome-based plan of services.

1 16. "*Specialty endorsement*" means an advanced level of
2 certification based on requirements developed by experts in a
3 particular discipline or professional area and approved by the
4 board.

5 Sec. 86. NEW SECTION. 152F.2 **Certification required —**
6 **exceptions — use of title.**

7 1. Unless otherwise exempt under section 152F.4, beginning
8 January 1, 2014, an individual shall not provide direct care
9 services in this state without being certified as a direct care
10 associate.

11 2. An individual who is not certified pursuant to this
12 chapter shall not use words or titles which imply or represent
13 that the individual is certified as a direct care professional
14 under this chapter.

15 3. A direct care associate shall not act as or represent
16 that the individual is a direct care professional with advanced
17 training certification or a specialty endorsement, unless the
18 direct care associate is first certified at the appropriate
19 level of certification under this chapter.

20 4. Notwithstanding any provision to the contrary, an
21 individual who completes advanced training or meets the
22 requirements for a specialty endorsement is not required to
23 be certified at that level if the individual does not act as
24 or represent that the individual is certified at that level.
25 Section 147.83 does not apply to a direct care associate who
26 is not certified as a direct care professional with advanced
27 training certification or a specialty endorsement if the direct
28 care associate does not act as or represent that the individual
29 is certified at that level.

30 Sec. 87. NEW SECTION. 152F.3 **Requirements to obtain**
31 **certification — renewal — continuing education — reciprocity.**

32 1. An applicant for certification as a direct care associate
33 shall present evidence satisfactory to the board that the
34 applicant meets all of the following requirements:

35 a. The applicant has successfully completed the required

1 education for the certification from a board-approved direct
2 care instructor or direct care trainer.

3 *b.* The applicant has paid all fees required by the board.

4 *c.* The applicant certifies that the applicant will conduct
5 all professional activities in accordance with standards for
6 professional conduct established by the board.

7 2. An applicant for certification as a direct care
8 professional with advanced training or a specialty endorsement
9 shall present evidence satisfactory to the board that the
10 applicant meets all of the following requirements:

11 *a.* The applicant has successfully completed the required
12 education for the certification from a board-approved direct
13 care instructor or direct care trainer.

14 *b.* The applicant has paid all fees required by the board.

15 *c.* The applicant has passed a state examination approved by
16 the board.

17 *d.* The applicant certifies that the applicant will conduct
18 all professional activities in accordance with standards for
19 professional conduct established by the board.

20 3. An individual shall renew the individual's certification
21 biennially. Prior to such renewal, the individual shall
22 present evidence that the individual has satisfied continuing
23 education requirements and shall pay a renewal fee as
24 determined by the board.

25 4. The board shall issue the appropriate certification to an
26 applicant who demonstrates experience in direct care services
27 in another state and meets the requirements established by the
28 board for the specific certification.

29 Sec. 88. NEW SECTION. 152F.4 Scope of chapter.

30 1. The provisions of this chapter do not apply to any of the
31 following:

32 *a.* An individual who is providing direct care services
33 and is governed by a collective bargaining agreement in place
34 before July 1, 2017, until the expiration of such agreement.

35 *b.* An individual providing direct care services to a family

1 member.

2 *c.* An individual otherwise licensed who is operating within
3 the scope of that license and who does not represent to the
4 public that the individual is a direct care professional.

5 2. This chapter shall not be interpreted to preclude
6 an individual who provides direct care services but is not
7 otherwise required to be certified under this chapter from
8 being certified under this chapter on a voluntary basis.

9 Sec. 89. NEW SECTION. 152F.5 **Duties of the board.**

10 The board shall do all of the following:

11 1. Adopt rules consistent with this chapter, chapter
12 147, chapter 272, and the recommendations of the direct care
13 worker advisory council established pursuant to 2008 Iowa
14 Acts, chapter 1188, section 69, which are necessary for the
15 performance of its duties.

16 2. Adopt rules to provide a transition process that allows
17 individuals providing direct care services on or before January
18 1, 2014, who are subject to the certification requirements
19 of this chapter, to continue providing direct care services
20 while completing certification under this chapter. The rules
21 shall provide that certification requirements for an individual
22 subject to the transition process are based on consideration
23 of previous training, employment history, and experience. An
24 individual subject to the transition process shall complete the
25 requirements for direct care associate certification within a
26 time frame determined by rule of the board.

27 3. Establish curriculum requirements for health support
28 professionals. The curriculum requirements established shall
29 not exceed the curriculum requirements specified for nurse
30 aides pursuant to 42 C.F.R. § 483.152, without prior approval
31 of sixty percent of the members of the board and prior approval
32 of the department of inspections and appeals.

33 4. Require an individual to undergo criminal history
34 and child and dependent adult abuse record checks prior
35 to certification, and establish record checks requirements

1 applicable to direct care professionals consistent with section
2 135C.33.

3 5. Establish dependent adult abuse reporting and training
4 requirements consistent with chapters 235B and 235E, as
5 applicable.

6 6. Establish standards and guidelines for certification
7 reciprocity.

8 7. Establish standards and guidelines for direct care
9 professionals, including minimum curriculum requirements.

10 8. Prepare and conduct, or prescribe, an examination for
11 applicants for certification.

12 9. Establish standards and guidelines for direct care
13 instructors and direct care trainers, including minimum
14 curriculum requirements and continuing education requirements.
15 Training and continuing education guidelines shall provide
16 diverse options for completion of the training and continuing
17 education, as appropriate, including but not limited to online,
18 employer-based, or educational institution-based opportunities.

19 10. Define educational activities which fulfill continuing
20 education requirements for renewal of certification.

21 11. Establish guidelines for inactive certification status
22 and inactive certification reentry.

23 12. Establish a grace period during which a newly employed
24 individual may provide direct care services before being
25 required to complete the appropriate level of certification
26 under this chapter.

27 Sec. 90. NEW SECTION. 152F.6 Certification suspension and
28 revocation.

29 A certification issued by the board under this chapter may be
30 suspended or revoked, or renewal of certification may be denied
31 by the board, for violation of any provision of this chapter,
32 section 147.55 or 272C.10, or rules adopted by the board.

33 Sec. 91. Section 10A.402, subsection 1, Code 2011, is
34 amended to read as follows:

35 1. Investigations relative to the practice of regulated

1 professions and occupations, except those within the
2 jurisdiction of the board of medicine, the board of pharmacy,
3 the dental board, ~~and~~ the board of nursing, and the board of
4 direct care professionals.

5 Sec. 92. Section 135.11A, Code 2011, is amended to read as
6 follows:

7 **135.11A Professional licensure division — other licensing**
8 **boards — expenses — fees.**

9 1. There shall be a professional licensure division within
10 the department of public health. Each board under chapter 147
11 or under the administrative authority of the department, except
12 the board of nursing, board of medicine, dental board, ~~and~~
13 board of pharmacy, and board of direct care professionals shall
14 receive administrative and clerical support from the division
15 and may not employ its own support staff for administrative and
16 clerical duties.

17 2. The professional licensure division and the licensing
18 boards may expend funds in addition to amounts budgeted, if
19 those additional expenditures are directly the result of actual
20 examination and exceed funds budgeted for examinations. Before
21 the division or a licensing board expends or encumbers an
22 amount in excess of the funds budgeted for examinations, the
23 director of the department of management shall approve the
24 expenditure or encumbrance. Before approval is given, the
25 department of management shall determine that the examination
26 expenses exceed the funds budgeted by the general assembly
27 to the division or board and the division or board does not
28 have other funds from which examination expenses can be paid.
29 Upon approval of the department of management, the division
30 or licensing board may expend and encumber funds for excess
31 examination expenses. The amounts necessary to fund the excess
32 examination expenses shall be collected as fees from additional
33 examination applicants and shall be treated as repayment
34 receipts as defined in section 8.2.

35 Sec. 93. Section 135.31, Code 2011, is amended to read as

1 follows:

2 **135.31 Location of boards — rulemaking.**

3 The offices for the board of medicine, the board of pharmacy,
4 the board of nursing, ~~and the dental board,~~ and the board
5 of direct care professionals shall be located within the
6 department of public health. The individual boards shall have
7 policymaking and rulemaking authority.

8 Sec. 94. Section 147.1, subsections 3 and 6, Code 2011, are
9 amended to read as follows:

10 3. "*Licensed*" or "*certified*", when applied to a physician
11 and surgeon, podiatric physician, osteopathic physician and
12 surgeon, physician assistant, psychologist, chiropractor,
13 nurse, dentist, dental hygienist, dental assistant,
14 optometrist, speech pathologist, audiologist, pharmacist,
15 physical therapist, physical therapist assistant, occupational
16 therapist, occupational therapy assistant, respiratory care
17 practitioner, practitioner of cosmetology arts and sciences,
18 practitioner of barbering, funeral director, dietitian, marital
19 and family therapist, mental health counselor, social worker,
20 massage therapist, athletic trainer, acupuncturist, nursing
21 home administrator, hearing aid dispenser, ~~or~~ sign language
22 interpreter or transliterator, or direct care professional
23 means a person licensed under this subtitle.

24 6. "*Profession*" means medicine and surgery, podiatry,
25 osteopathic medicine and surgery, practice as a physician
26 assistant, psychology, chiropractic, nursing, dentistry,
27 dental hygiene, dental assisting, optometry, speech pathology,
28 audiology, pharmacy, physical therapy, physical therapist
29 assisting, occupational therapy, occupational therapy
30 assisting, respiratory care, cosmetology arts and sciences,
31 barbering, mortuary science, marital and family therapy, mental
32 health counseling, social work, dietetics, massage therapy,
33 athletic training, acupuncture, nursing home administration,
34 hearing aid dispensing, ~~or~~ sign language interpreting or
35 transliterating, or practice as a direct care professional.

1 Sec. 95. Section 147.2, subsection 1, Code 2011, is amended
2 to read as follows:

3 1. A person shall not engage in the practice of medicine
4 and surgery, podiatry, osteopathic medicine and surgery,
5 psychology, chiropractic, physical therapy, physical therapist
6 assisting, nursing, dentistry, dental hygiene, dental
7 assisting, optometry, speech pathology, audiology, occupational
8 therapy, occupational therapy assisting, respiratory care,
9 pharmacy, cosmetology arts and sciences, barbering, social
10 work, dietetics, marital and family therapy or mental health
11 counseling, massage therapy, mortuary science, athletic
12 training, acupuncture, nursing home administration, hearing aid
13 dispensing, or sign language interpreting or transliterating,
14 or shall not practice as a physician assistant or as a direct
15 care professional, unless the person has obtained a license for
16 that purpose from the board for the profession.

17 Sec. 96. Section 147.13, Code 2011, is amended by adding the
18 following new subsection:

19 NEW SUBSECTION. 24. For direct care professionals, the
20 board of direct care professionals.

21 Sec. 97. Section 147.14, subsection 1, Code 2011, is amended
22 by adding the following new paragraph:

23 NEW PARAGRAPH. x. For the board of direct care
24 professionals, a total of eleven members, six of whom are
25 direct care professionals who represent diverse settings and
26 populations served, two members of the public, one registered
27 nurse who serves as a direct care instructor, one human
28 services professional who serves as a direct care instructor,
29 and one licensed nursing home administrator.

30 Sec. 98. Section 147.74, Code 2011, is amended by adding the
31 following new subsection:

32 NEW SUBSECTION. 24. A direct care professional certified
33 under chapter 152F and this chapter may use the following:

34 a. A direct care professional certified as a direct care
35 associate may use the title "direct care associate" or the

1 letters "D.C.A." after the person's name.

2 *b.* A direct care professional certified as a community
3 living professional may use the title "community living
4 professional" or the letters "C.L.P." after the person's name.

5 *c.* A direct care professional certified as a personal
6 support professional may use the title "personal support
7 professional" or the letters "P.S.P." after the person's name.

8 *d.* A direct care professional certified as a health support
9 professional may use the title "health support professional" or
10 the letters "H.S.P." after the person's name.

11 *e.* A direct care professional certified with a specialty
12 endorsement may use the title or letters determined by the
13 specialty endorsement entity and approved by the board of
14 direct care professionals.

15 *f.* A direct care professional who complies with federal
16 nurse aide requirements pursuant to 42 C.F.R. § 483.152 may use
17 the title "certified nursing assistant" or the letters "C.N.A."
18 after the person's name.

19 Sec. 99. Section 147.80, subsection 3, Code 2011, is amended
20 to read as follows:

21 3. The board of medicine, the board of pharmacy, the dental
22 board, and the board of nursing, and the board of direct care
23 professionals shall retain individual executive officers, but
24 shall make every effort to share administrative, clerical, and
25 investigative staff to the greatest extent possible.

26 Sec. 100. Section 147.88, Code 2011, is amended to read as
27 follows:

28 **147.88 Inspections and investigations.**

29 The department of inspections and appeals may perform
30 inspections and investigations as required by this subtitle,
31 except inspections and investigations for the board of
32 medicine, board of pharmacy, board of nursing, and the dental
33 board, and the board of direct care professionals. The
34 department of inspections and appeals shall employ personnel
35 related to the inspection and investigative functions.

1 Sec. 101. Section 272C.1, subsection 6, Code 2011, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. *ag.* The board of direct care professionals,
4 created pursuant to chapter 147.

5 Sec. 102. TRANSITION PROVISIONS.

6 1. An individual providing direct care services on or
7 before January 1, 2014, who is subject to the certification
8 requirements of this division of this Act, may continue
9 providing direct care services while completing certification
10 as required under this division of this Act. The board of
11 direct care professionals shall adopt rules to provide that
12 certification requirements for an individual subject to the
13 transition process are based on consideration of previous
14 training, employment history, and experience, and require
15 such individuals to complete the requirements for direct care
16 associate certification within the time frame determined by
17 rule of the board.

18 2. An individual who is registered on or before January
19 1, 2014, on the Iowa direct care worker registry established
20 by the department of inspections and appeals, is deemed to
21 meet the certification requirements for a health support
22 professional under this division of this Act.

23 3. Notwithstanding sections 147.14 and 147.16, for the
24 initial board of direct care professionals, the governor may
25 appoint, subject to confirmation by the senate, in lieu of the
26 six members required to be direct care professionals and the
27 two members required to be direct care instructors, members
28 with experience and expertise that is substantially equivalent
29 to the professional requirements for a direct care professional
30 or direct care instructor, as applicable.

31 Sec. 103. IMPLEMENTATION. The provisions of this division
32 of this Act shall be implemented as follows:

33 1. The sections of this division of this Act relating to
34 the board of direct care professionals including sections
35 152F.1 and 152F.5, as enacted in this division of this Act;

1 sections 10A.402, 135.11A, 135.31, 147.13, 147.14, 147.80,
2 147.88, and 272C.1, as amended in this division of this Act,
3 and as specified in the transition provisions; and the section
4 of this division of this Act providing transition provisions
5 relating to the board shall be implemented so that a board of
6 direct care professionals is appointed no later than December
7 15, 2012.

8 2. The sections of this division of this Act relating to
9 requirements for certification of direct care professionals
10 including sections 152F.2, 152F.3, 152F.4, and 152F.6, as
11 enacted in this division of this Act; and sections 147.1,
12 147.2, and 147.74, as amended in this division of this Act,
13 shall be implemented so that the requirements are applicable
14 beginning no later than January 1, 2014.

15 Sec. 104. FUNDING PROVISIONS.

16 1. The department of public health shall limit the indirect
17 service charge for the board of direct care professionals to
18 not more than fifteen percent.

19 2. It is the intent of the general assembly that the board
20 of direct care professionals be self-sustaining by January 1,
21 2017.

22 Sec. 105. EFFECTIVE UPON ENACTMENT. This division of this
23 Act, being deemed of immediate importance, takes effect upon
24 enactment.